



2022-2023 Handbook

Working wonders for Public Education

MISSION, VISION, CORE VALUES AND GOALS

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.

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OEA BYLAWS

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, aspiring educator, 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) A member may withdraw from membership at any time by notifying the OEA President of their withdrawal, in writing. To withdraw from a continuing dues-payment obligation, one must notify the OEA President, in writing, between September 1 and September 30 of the membership year for which the dues-payment authorization is to be cancelled.
- 2) Persons who were active aspiring educator members of OEA for the previous membership year shall be considered continuing active members of the Aspiring Educator 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.

b. For purposes of the OEA dues component the following shall apply:

Less Than Full-Time

1. Dues for part-time pre-K-12 active members in a certified bargaining unit, contracted community college faculty, or tutor active members who work less than full-time shall pay dues according to the following:

50%-99% pay one-half dues

Less than 50% but more than 25% pay one-fourth dues

25% or less pay one-eighth dues.

2. Dues for part-time/adjunct community college faculty/tutors shall pay dues according to the following:

a. part-time/adjunct community college faculty/tutors whose annual salary is equal to or greater than the teacher average salary shall pay one-quarter OEA dues;

b. part-time/adjunct community college faculty/tutors who earn one-half, but less than the teacher average salary shall be assessed three-sixteenths OEA dues;

c. part-time/adjunct community college faculty/tutors who earn one-fourth but less than one-half the teacher average salary shall be assessed one-eighth OEA dues;

d. part-time/adjunct community college faculty/tutors less than one-fourth of the teacher average salary shall be assessed one-sixteenth OEA dues.

3. Dues for members who work five credit hours or less per week, or twelve contract hours or less per week, shall be considered one-quarter time or less and pay one-eighth dues.

4. Dues for certified intern teachers shall be one-half dues.

5. Dues for those who receive no contractual salary, or are substitute teachers not working full time, shall be one-fourth dues.

6. Dues for those who work less than a full school year shall be the annual OEA dues multiplied by the percentage of the membership year worked.

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. The assessment will be increased to \$5.00 annually, beginning with the 2021-2022 OEA fiscal year, for a period of five fiscal years, unless the OEA Representative Assembly acts to extend the increase. If the OEA Representative Assembly does not extend the increase after the five-year period, the assessment will revert to the \$2.00 annual assessment;
 - 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. Aspiring Educator 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 an aspiring educator member of the OEA by joining an Aspiring Educator Oregon Education Association chapter. An AEOEA member may also join a local association of OEA and must also be an aspiring educator member of NEA. Anyone who has been an active member of any NEA state affiliate is ineligible for AEOEA membership. Membership shall include the right to vote, serve as a delegate and to receive OEA publications.
- B. Dues for each aspiring educator member shall be set by the AEOEA at its annual meeting and shall include Aspiring Educator NEA dues. In the event no Aspiring Educator 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 representation shall be at least equal to the proportion of identified ethnic membership of the local association. Delegates from the local association to the OEA Representative Assembly shall be in proportion to the ethnic membership of the local association as long as the person of identifiable ethnic groups are available as delegates. To determine the number of ethnic representatives, the percentage of ethnic 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 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 Aspiring Educator Oregon Education Association delegate credentials shall be based on the ratio of 1:40 aspiring educator members or major fraction thereof with the aspiring educator 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 AEOEA. 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, Equity Director, and Community College Director.

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.

The Equity Director shall be a full-time officer of the OEA. The duties and compensation shall be established by the OEA Board of Directors, with input from CORE (the Committee on Racial Equity) and HCRC (the Human and Civil Rights Committee).

Section 6.

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 7.

- A. All elected officers shall take office on July 10 of the year their term begins, with the exception of state-elected NEA Directors.
- 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 the Equity Director shall be two years, or until a successor is inducted into office. An Equity Director may be elected to a maximum of one additional term.
- E. 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.
- F. 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. In nomination-by-petition scenarios, member signatures may be handwritten or electronic.

A. President

Nominations for the President shall be made by a direct vote of the members in a local association or UniServ Council. Nominations may also be made by petition of 25 OEA members, or the number of OEA members which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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. Nominations may also be made by petition of 25 OEA members, or the number of OEA

members which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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. Nominations may also be made by petition of 25 OEA members within the designated region, or the number of OEA members within the designated region which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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. Nominations may also be made by petition of 25 OEA members within the designated district, or the number of OEA members within the designated district, which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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 Equity Director and Education Support Director shall be made by direct vote of the members in a local association or UniServ Council. Nominations may also be made by petition of 25 OEA members, or the number of OEA members which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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. Nominations may also be made by petition of 25 OEA members, or the number of OEA members which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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. Nominations may also be made by petition of 25 OEA members within that region, or the number of OEA members within that region which constitutes the equivalent of 5% of the candidate's active local association membership, whichever is less. 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 Aspiring Educator Conference

Nominations for Aspiring Educator Conference/NEA Delegate Nominations for Aspiring Educator Conference/NEA Delegate shall be made by the direct vote of the members of the Aspiring Educator Oregon Education Association or by petition of 10 Aspiring Educator NEA members. The Aspiring Educator 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 Aspiring Educator 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 and an election notice 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 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 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 Committee and the President will determine when there is no longer a need for a temporary vacancy and report to the Board. The Board, at its next regular or special meeting will confirm or change the Executive Committee's decisions.

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 of 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.

Section 7. Compliance with State and Federal Law

All OEA and local association elections falling under the federal Labor Management Reporting and Disclosure Act shall comply with the requirements of the Act. The OEA Board of Directors may establish Interim OEA Policy, and the Credentials Committee may establish election rules and procedures, to conform election practices with state and federal law.

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), and district Directors.

The Community College Council will elect one of the existing Community College District Directors to serve on the Executive Committee of the OEA Board of Directors.

- 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, Equity Director, and Community College Director shall function as an Executive Committee of the OEA Board of Directors. The Community College Council will elect one of the existing Community College District Directors to serve on the Executive Committee of the OEA Board of Directors.

- 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 aspiring educator 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 Community Colleges; 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 Cabinets 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, and a financial statement, to 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. TRUSTEESHIP

Section 1.

- a. Purpose: OEA may establish a trusteeship over a local or affiliate organization for the purpose of:
Correcting corruption or financial malpractice.
- b. Assuring administration of a collective bargaining agreement or performance of other duties of a collective bargaining representative.
- c. Restoring democratic procedures.

Section 2.

Initiation of Proceedings: If the Executive Committee determines by a two-thirds (2/3) vote that there is adequate cause under Section 1 of this Article to establish a trusteeship, it will recommend to the OEA Board of Directors that a trusteeship be established. As soon as possible after said vote, the OEA President will send to the OEA Board of Directors, a copy of the recommendation of the Executive Committee and will include with said recommendation a written statement setting forth the basis for the Executive Committee's determination that there is adequate cause for the establishment of a trusteeship. The written statement will be sufficiently specific so as to enable a local or affiliate body to prepare a defense.

Section 3.

Recommendation by Executive Committee: A recommendation by the Executive Committee to establish a trusteeship will be acted upon by the OEA Board of Directors at its next regularly scheduled meeting or at a special meeting called for that purpose, occurring at least forty (40) days after the OEA Board of Directors receives the recommendation.

Section 4.

Notice of Hearing: At least thirty (30) days prior to the meeting of the OEA Board of Directors at which the recommendation of the Executive Committee is to be acted upon, the OEA President will send to the subordinate body a notice advising it of the recommendation of the Executive Committee and setting forth the date, time, and place of the meeting of the OEA Board of Directors at which said recommendation will be acted upon. The OEA President will include with said notice a copy of the written statement that was submitted to the OEA Board of Directors pursuant to Section 2 of this Article, and a copy of the rules and procedures that will be followed by the OEA Board of Directors in acting upon the Executive Committee's recommendation.

Section 5.

Hearing: A hearing will be held before the OEA Board of Directors pursuant to rules and procedures adopted by the OEA Board of Directors for such purpose to determine whether to establish a trusteeship. The OEA Board of Directors may delegate to a committee consisting of not less than eleven (11) OEA Board of Directors members, none of whom may be members of the Executive Committee, the responsibility to receive evidence and hear arguments in the first instance, provided that the final decision regarding the establishment of a trusteeship will be made by the full OEA Board of Directors. Further, all interested parties will have an adequate opportunity to present their views on the matter to the full OEA Board of Directors before the final decision is made.

Section 6.

Vote of the Board: On the basis of the evidence and arguments presented at the hearing, the OEA Board of Directors will vote on the question of whether a trusteeship should be established. If more than one-third (1/3) of the members of the OEA Board of Directors who vote on the question vote "no," the recommendation of the Executive Committee will have been rejected. If two-thirds (2/3) or more of the members of the OEA Board of Directors who vote on the question vote "yes", the recommendation of the Executive Committee will have been accepted, in which event a trusteeship will be established over the local or affiliate body as of the announcement of the vote. As soon as possible after said vote, the Executive Committee will appoint a trustee.

Section 7.

Power of Trustee: Subject to the control and direction of the Executive Committee, a trustee will have the power to

- a. Conduct the affairs of the local or affiliate body, including supervisory control over its officers, employees and other representatives.
- b. Take possession of the books, records, funds and other assets of the local or affiliate body to be held in trust for and used only in the proper conduct of its affairs.
- c. Remove officers of the local or affiliate body and replace them if deemed appropriate for the duration of the trusteeship.
- d. Take such other actions as in a trustee's judgment are necessary for the preservation of the right and interests of OEA and the members of the local or affiliate body.

Section 8.

Replacing Trustee: The Executive Committee will have the right, with or without cause, to replace a trustee at any time.

Section 9.

Expenses Incurred: Reasonable expenses incurred by a trustee in the performance of his or her functions will be paid out of the funds of the local or affiliate body if available; otherwise, such expenses will be paid by OEA.

Section 10.

Termination of Trusteeship: The Executive Committee will terminate a trusteeship as soon as the cause for its establishment has been remedied. If the Executive Committee rejects a request from the local or affiliate body to terminate a trusteeship, the subordinate body will have the right to appeal to the OEA Board of Directors, provided that no such appeal may be taken within three (3) months after the decision of the OEA Board of Directors on a prior appeal.

- a. Prior to the termination of a trusteeship, the trustee will conduct an election, in accordance with the applicable provisions of the governing documents and policies of the subordinate body and OEA, to fill, as of the date of such termination, officer positions vacated by removal or departure of former incumbents.
- b. As of the date of termination of a trusteeship, the trustee will return control of the books, records, funds and other assets of the local or affiliate body to appropriate officers. The trustee will make a final accounting of a trusteeship, and submit copies to the OEA Board of Directors and local or affiliate.

Section 11.

Financial Responsibility: No financial obligation or liability of the local or affiliate which may exist at the time a trusteeship is established, or which may be incurred during a trusteeship, will be assumed by or become an obligation of OEA.

Section 12.

Emergency Power to Establish Trusteeship: Notwithstanding anything to the contrary in this Article, in case of emergency, where the best interests of the local or affiliate or OEA require, the Executive Committee may by a two-thirds (2/3) vote, establish an immediate trusteeship over the local or affiliate without action by the OEA Board of Directors. In such case, the matter will be submitted to the OEA Board of Directors, which may affirm or reverse the action of the Executive Committee pursuant to the procedure set forth in Section 3 of this Article, provided that if the OEA Board of Directors does not take action within sixty (60) days following establishment of a trusteeship by the Executive Committee, said trusteeship will automatically terminate

Section 13.

Appeal to the Representative Assembly: If the OEA Board of Directors establishes a trusteeship or refuses to terminate an established trusteeship, the local or affiliate shall have the right to appeal to the OEA Representative Assembly, provided that a written notice of such appeal is filed with the OEA President and signed by at least ten percent (10%) of the active members in good standing of the local or affiliate body within ten (10) days after the decision of the OEA Board of Directors is made known to the local or affiliate.

The OEA Representative Assembly will rule on the appeal at its first annual or special meeting occurring at least thirty (30) days after the OEA President receives the written notice of appeal.

Section 14.

Pending an Appeal: Pending an appeal to the OEA Representative Assembly, the decision of the OEA Board of Directors will remain in full force and effect.

Section 15.

Implementation of Article: The OEA Board of Directors shall adopt such rules and procedures as may be necessary to implement this Article.

ARTICLE XIX. 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 XX. 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 XXI. 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

Ethnic 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.

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OEA POLICIES

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.
 5. The Judicial Panel/Review Board (appointed) - an internal judicial body to adjudicate disputes in governance activity.
 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.
- L. Election to the vice presidency shall constitute election as a delegate to the NEA Representative Assembly for all purposes except voting in elections for NEA officers.

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 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, 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. In addition to the members of the Program Budget Committee outlined elsewhere in OEA Bylaws and Policies, the senior ESP Director, the Equity Director, and the senior Community College Director shall be voting members of the Committee.
- 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. Report to and advise the OEA Board of Directors and Program Budget Committee on behalf of the Cabinets and the Legislative Advisory Council.
- D. Cause minutes to be recorded for each meeting.
- E. Cause attendance records to be kept for each meeting and notify the OEA President of absences--excused and unexcused.
- F. Identify future Cabinet and Legislative Advisory Council leaders.
- G. Make requests ten days in advance.

VI. CABINET AND THE LEGISLATIVE ADVISORY COUNCIL VICE CHAIRPERSONS' RESPONSIBILITIES

- A. Participate in leadership meetings involving chairpersons and vice chairpersons of OEA Cabinets and the Legislative Advisory Council.
- B. Preside over meetings of the Cabinets and the Legislative Advisory Council in the absence of the chairperson.
- 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 groups, shall propose, coordinate, and promote a program of activities to implement the policies of OEA and NEA and provide for continuing ethnic 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 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 reformat 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-presidential 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.

1. OEA will give each candidate one set of mailing labels, upon request, 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 2023): Districts 01b, 02, 03a, 09, 10c, 11, 13, 14a, 15a, 15b, 16, 17b, 20b, 24, 26a, 26b, 27, and 30b

(Terms ending 2024): Districts 03b, 04, 05, 07, 10a, 14, 17a, 18, and 26a;

(Terms ending 2025): 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 delegate representation at least equal to the proportion of identified ethnic populations within the state." State, regional and local association leaders shall assist with publicity and promotion of proportional ethnic 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, Crane 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-Nie 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-Carlton
- 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, North Douglas ACE, Oakland TA, Oakland ACE, Riddle, Riddle ACE, Roseburg, South Umpqua, Sutherlin, Winston-Dillard, Yoncalla and Yoncalla ACE
- District #24 Association of Salem Keizer ESP
- District #26 Lake Oswego, McMinnville, Newberg, Riverdale TA, Sherwood and Tigard-Tualatin
- District #27 OEA-Retired
- District #30 Blue Mountain FA, Chemeketa FA, Clackamas CC ACE, Clackamas CC FA, Clackamas CC AF, Clatsop CC FA, Clatsop CC PTFA, Klamath CC FA, Lane CC, Linn-Benton CC PT FA, 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.

2560 - GENERAL RULES FOR ELECTIONS & CAMPAIGNING

- A. In addition to the election and campaigning rules outlined in Policies 2500 and 2550, the following rules and practices shall apply to all elections for statewide and NEA-level positions:

1. The elections will be conducted by secret ballot either by mail or by in-person voting.
2. Candidates will be given the opportunity to have observers at each polling place and at each place where ballots are counted.
3. If the election is by mail ballot, candidate observers shall be permitted to observe the preparation, mailing, and collection of ballots.
4. Ballots and other election records are to be preserved for at least one year.
5. Persons barred from seeking and holding office under section 504(a) of the LMRDA or 29 CFR 458.36 may not run for or hold an OEA officer position.
6. No employer may either directly or indirectly contribute to or promote the candidacy of any individual on a state-provided ballot. No governing body of a local, intermediate organization or statewide affiliate of OEA may officially endorse or promote a candidate. Local or state officials may support or campaign for a candidate but not on union time.
7. Challenged Ballots:
 - a. A ballot or ballots cast that result in questions arising over eligibility or legality shall be considered "challenged ballots." If a member's eligibility is questioned prior to voting, the member shall be allowed to cast a secret ballot that is held separately in a sealed envelope marked "Secret Ballot" and placed in a larger outer envelope marked "Challenged Ballot" until eligibility has been resolved.
 - b. "Secret Ballot(s)" shall not be counted and final results not certified until the issue is resolved. Further, so as to not influence decisions regarding the challenged ballots, the results shall be known only to Elections Committee members and designated staff. In addition, no results shall be released until the challenge has been resolved.
8. No candidate may use the picture or name of current OEA staff members in any campaign materials. Such prohibition is not intended to apply to the use of pictures or names of current or former OEA Officers in campaign materials.
9. Representative Assembly Election Procedures Challenges
 - a. Any member qualified to vote may challenge the election procedure employed by the Credentials Committee. The voting delegates to the Representative Assembly are empowered to process said challenge.
 - b. All challenges must be filed in writing with the Chair of the Credentials Committee. All challenges must be filed prior to the time the Credentials Committee announces the results of the voting.
 - c. The written challenge must identify the specific election procedures, rule or rules violated. No other basis for challenge shall be recognized as a valid challenge within the purview of these rules.

- d. Every challenge shall clearly and concisely state the remedy to correct the alleged irregularity.
- e. The voting delegates of the Representative Assembly may on their own initiative determine that the challenge is groundless and shall issue such decision. Alternatively, the voting delegates receiving such challenge may determine that one or more alleged violations have occurred, in which case an immediate correction of the irregularity and/or re-balloting shall occur. In the event of intervention, the voting delegates of the OEA Representative Assembly shall be the final authority as to the ultimate disposition of the challenge.

10. Representative Assembly Campaign Practice Challenges

- a. Prior to the Representative Assembly:

Any challenge alleging a violation of the campaign practices shall be filed in writing with the Office of the Credentials Committee Chair. A challenge filed prior to the convening of the Representative Assembly shall be investigated by the Credentials Committee. Challenges to campaign practices occurring prior to the convening of the Representative Assembly must be filed prior to the convening of the Assembly.

Pursuant to its authority, the Credentials Committee shall meet and review every challenge to determine whether one of its rules has been violated.

Should the Credentials Committee find that a candidate is in violation of campaign practices, the Credentials Committee may recommend to the OEA Board of Directors disciplinary action, which shall include, but not be limited to, withdrawal of/billing for assistance, and/or disqualification of the candidate.

A candidate may appeal the decision of the Credentials Committee

regarding campaign practices occurring prior to the Representative Assembly. Any appeal must be taken within 48 hours of notice of the decision by filing a Notice of Appeal with the Executive Committee of the OEA Board of Directors. The Notice of Appeal must state with particularity the portion of the decision deemed to be incorrect and must contain evidence illustrating the basis for the appeal. Upon receipt, the Executive Committee shall meet and review the facts of the appeal. The Executive Committee shall have authority to uphold or to reverse the decision. Upon decision of the Executive Committee, there shall be no further right of appeal.

- b. At the Representative Assembly:

Any challenge alleging a violation of the campaign practices at the Representative Assembly shall be filed in writing with the Chair of the Credentials Committee. A challenge must be filed no later than the completion of balloting. Challenges filed during the Representative Assembly shall be investigated by the Credentials Committee and reported to the Representative Assembly delegates for resolution. The Representative Assembly delegates shall be the final authority as to the disposition of the challenge.

Pursuant to its authority, the Credentials Committee shall meet and review every challenge to determine whether one of its rules has been violated, and whether such violation could have caused a different result.

Should the Credentials Committee find that a candidate is in violation of campaign practices, the Representative Assembly may initiate disciplinary action which may include, but not be limited to, withdrawal of/billing for assistance, and/or disqualification of the candidate.

11. Local-Level Challenge

Any member qualified to vote may challenge the election procedure employed by the local. The local's governing body, operating on behalf of its members, is empowered to process said challenge. All challenges must be in writing and filed with the President of the local, except where the challenger is the local President, in which case the challenge shall be filed with any non-challenging officer of the local. If any officer of the local is involved in the challenge, the challenge shall be submitted to the Chair of the OEA Credentials Committee.

The written challenge must specify the specific election procedures rule or rules violated. No other basis for challenge need be recognized by the local as a valid challenge within the purview of these rules. The challenge shall be filed within 24 hours of the time of closing of the local polls on the election dates. In no event shall the local recognize under these rules a challenge that has not been filed within that time period. Every challenge shall contain a clear concise statement as to the remedy the challenger would prefer the local to apply to correct the alleged irregularity in following the Election Rules.

The governing board of the local may on its own initiative determine that the challenge is groundless and shall issue such decision with its reasons stated within 24 hours of receipt of the challenge. Alternatively, the local receiving such challenge may determine that one or more alleged violations have occurred, in which case such local shall have the opportunity to correct the procedure if possible before the election.

Any challenger not satisfied with the local's disposition of the challenge shall have the right to appeal the same challenge in writing with the Credentials Committee within 48 hours of being notified of such disposition by the local. Every such appeal shall include a concise statement indicating how the results could have been different if it were not for the alleged violation, but failure to do so shall not in and of itself invalidate the appeal. The challenger shall notify the local at the same time the appeal is filed with the Credentials Committee.

The Credentials Committee shall meet and review every challenge appealed to that level including the response of the local to determine whether one of its rules has been violated, whether such violation caused a different result, or whether or not a new election could theoretically bring about a different result than would otherwise be the case if the election were allowed to stand.

The Credentials Committee may dismiss a challenge that does not conform to these rules.

The Credentials Committee may, at its own initiative, require the challenger and the local challenged to submit additional information or testify at a hearing before the Credentials Committee solely for the purpose of determining whether the challenge has foundation sufficient to warrant further inquiry and disposition by the Committee. The decision of the Committee shall be final, except that the OEA Board of Directors may on its own motion issue a decision in lieu of a Credentials Committee decision.

Prior to the issuance of any decision, the Credentials Committee shall notify the OEA President as to the nature of the challenge and the intended disposition. The President may cause the OEA Board of Directors to intervene, if the President determines that intervention is justified. In the event the President is involved in the challenge, the Credentials Committee shall notify the Executive Director, who shall refer the matter to the OEA Board of Directors. In the event of intervention, the Governing Board shall be the final authority as to the ultimate disposition of the challenge.

12. State-Level Challenge

Any member qualified to vote or any authorized observer may challenge the election procedures used or the rulings of the state Elections Committee. All challenges must be filed in writing with the OEA Board of Directors within forty-eight (48) hours of actual notice of the matter challenged. The challenge must specifically identify the violation alleged and contain a clear and concise statement identifying the remedy desired. The challenger shall concurrently notify the Credentials Committee of the challenge filed by filing an identical statement with the Committee.

The OEA Board of Directors shall meet and review every challenge raised by a member or an observer and shall respond to the challenger indicating whether one of its rules has been violated, or whether such violation caused a different result, or whether or not a new election could theoretically bring about a different result than would otherwise be the case if the election were allowed to stand.

The OEA Board of Directors may in its discretion dismiss a challenge that does not conform to its rules or may decide to investigate more fully using a subcommittee of its members or other identified investigators. The OEA Board of Directors may, at its own initiative, require the challenger and the Credentials Committee to submit additional information or testify at a hearing before the Board solely for the purpose of determining whether the challenge has foundation sufficient to warrant further inquiry and disposition by the Board.

In the event of intervention, the OEA Board of Directors shall be the final authority as to the ultimate disposition of the challenge.

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 Rule10.
- 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 (OEA 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 charged member and 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.

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;
 - 2) Criminal actions against a member except as stated in Appendix A: Policy on Criminal Charges;
 - 3) 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

1. The OEA Bargaining Campaign Manual and the OEA Crisis Campaign Manual shall provide assistance and direction in preparing for crisis.
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.

3400

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. Aspiring Educator Oregon Education Association

- a. Where possible the local associations should invite the local Aspiring Educator 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 Aspiring Educator 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.

UniServ Councils will be provided with a copy of the proposed budget for their unit before or at the budget hearings.

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 include the start date as well as an anticipated date for the outside assignment to end. The 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 six people: two OEA Board members, one non-Board member from each vice-presidential region of the State, and one OEA Retired member. 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 OEA President, the OEA Executive Director, 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.

3. The local financial assistance committee shall report in writing to the OEA Relief Fund Committee, within thirty days following the strike or closure, on use of the funds and provide recommendations for changes in operation of the Fund.

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.
- J. The Board of Directors may authorize the use of funds from the OEA Relief Fund to make regular monthly payments on the 2020 loan that was obtained to finance the replacement of the OEA headquarters failed heating, ventilation and air-conditioning (HVAC) system.

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. Jenoge Khatter, Eugene EA, moved that OEA will support the draft legislation on K-12 climate education that is being brought forth by Oregon Educators for Climate Education and the OEA Caucus for Climate Education. This support will include opportunities to work with the OEA lobbying team, a formal letter of support from OEA, and other support as needed to help pass the legislation in the Oregon Legislature. Please use this link to see our most recent version of the draft legislation: tinyurl.com/oeced

Debate ensued.

Scott Perkins, Glendale EA, moved and Jordan Humphreys, Roseburg EA, seconded to refer NBI 1 to the appropriate committee.

Debate ensued.

Motion to refer to committee **FAILED.**

Debate ensued.

Motion to approve New Business Item 1 **CARRIED.**

2. Doris Jared, ASK ESP, moved that all Today's OEA publications ~~digital or hard copy~~ contain articles on each of the following,

Education Support Professionals, Community College, Certified and Retired. The stories on Education Support Professionals should be from different job classifications each publication.

~~For example one publication about Transportation the next publication be about Food Service etc.~~

Motion amended by Maker.

Debate ensued.

Elizabeth Thiel, Portland AT, moved and Gwen Sullivan, Portland AT, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 2 as amended **CARRIED**.

3. Doris Jared, ASK ESP, moved that OEA place, by January of each year, on the OEA website a section for OEA RA that contains the timelines and forms. Where and to whom they should be submitted. Also a section for the NEA RA of when timelines are due.

Debate ensued.

Motion to approve New Business Item 3 **CARRIED**.

4. Doris Jared, ASK ESP, moved that OEA contact Oregon Department of Education regarding the State ESP of the Year Award. Have ODE publicize the submission deadline for ESP of the year. OEA post to the website, email all educators, and publish in OEA Today the timeline for when and where to submit the nominations.

Debate ensued.

Motion to approve New Business Item 4 **CARRIED**.

5. Niels Pasternak, Eugene EA, moved that OEA will have a committee that ~~conducts a study of the~~ will assess the environmental impacts of OEA's annual operations. This committee will make recommendations for actions OEA could take to make it a more environmentally friendly organization. These recommendations will be included in a report that will be shared with delegates prior to the NBI submission window opening for the 2023 OEA RA.

Debate ensued.

Karl Olson, South Umpqua EA, moved and Corey Hedger, Klamath County EA, seconded to amend by removing “conducts a study of the” and replace with “will assess the.”

Debate ensued.

Elyssa Winters, Medford EA, moved and Beth Yarbrough, Douglas ESDA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to amend New Business Item 5 **CARRIED**.

Motion to approve New Business Item 5 as amended **CARRIED**.

6. New Business Item 6 withdrawn by the Maker.
7. Sara Schmitt, Beaverton EA, moved that OEA will work collaboratively with other education unions in Oregon to build our collective power and drive the public education agenda. Collaboration at the local and state level could include, but would not be limited to: coordinated collective bargaining, new employee orientations, implementation of contracts, political advocacy, and organizing.

Debate ensued.

Adrienne Mitchell, Lane CC EA, moved and Wendy Simmons, Lane CC EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 7 **CARRIED**.

8. Kayla Potter, Eugene EA, moved that OEA will add a required field on ~~all OEA membership sign-up forms and on all OEA event/PD sign-up forms~~ that asks for the signee to indicate what year they entered the profession. New data for this field will be entered at least ~~weekly~~ quarterly into NEA 360 (or the appropriate membership database) where this field already exists.

Discussion ensued.

Sarah Allan, Tigard-Tualatin EA, moved and Emily Kelchner Lee, Tigard-Tualatin EA, seconded to amend to read OEA will add a required field on ~~all OEA membership sign-up forms and on all OEA event/PD sign-up forms~~ that asks for the signee to indicate what year they entered the profession. New data for this field will be entered at least ~~weekly~~ quarterly into NEA 360 (or the appropriate membership database) where this field already exists.

Debate ensued.

Motion to amend **CARRIED**. Division called. Motion to amend **CARRIED**.

Joe Rowe, Portland AT, moved and Darlene Andrus, Association of Salem-Keizer ESP, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 8 as amended **CARRIED**.

9. Stephen Siegel, Reynolds EA, moved that OEA join and become an active member of the Divest Oregon coalition of organizations that are calling for the Oregon Investment Council to phase out all PERS investments in the fossil fuel industry.

Debate ensued.

Tana Shepard, Eugene EA, moved and Mary Middleton, Rogue CC, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 9 **CARRIED**.

10. Katie Lukins, Beaverton EA, moved that that OEA will not require members, with a self-reported financial need, to pay for upfront or put down deposits/incidental holds to cover lodging, or airfare costs associated with OEA events and conferences and OEA will link directly to the online financial need form on the online registration/sign up page for each impacted OEA event or conference.

Debate ensued.

Katherine Watkins, Beaverton EA, moved and Lauren McCartney, Beaverton EA, seconded to amend by substitution “to have funds fronted for those who are in financial need” who attend OEA events/conferences.

Debate ensued

Without objection, motion to amend the amendment to add who attend OEA events/conferences.

Motion to amend by substitution **FAILED**.

Angela Bonilla, Portland AT, moved and Alisha Chavez, Portland AT, seconded to close Debate. Motion to close debate **CARRIED**.

Mikka Irusta, Hood River EA, moved and Delta Colbray, Hermiston AT, seconded to amend to add at the end “Members must go to their locals first. If their local cannot fund, then OEA will.”

Debate ensued.

Cynthia Vaughan, Klamath County EA, moved and Corey Hedger, Klamath County EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to amend **FAILED**.

Cory Hedger, Klamath County EA, moved and Paula Gonyaw, Klamath County EA, seconded to close Debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 10 **CARRIED**.

11. Niels Pasternak, Eugene EA, moved that OEA will empower it’s members, program coordinators, and committees, by allowing members to serve on more than one committee or task force if they want to and the position on the committee would otherwise be vacant, ~~and by giving coordinators and committees more control over their allotted budgets by allowing them to choose to use funds to reimburse members for single occupancy rates or to schedule retreats as long as their budgets are not exceeded.~~

Debate ensued.

Laura Fisher, Portland AT, moved and Logan Heyerly, Portland AT, seconded to amend by striking everything after the words ‘be vacant.’

Debate continued.

Kelsy Dunlap, Salem-Keizer EA, moved and Vicki Mashos, Salem-Keizer EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to amend **CARRIED**.

Debate continued.

Corey Hedger, Klamath County EA, moved and Vicki Olivia Cole, Dallas EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 11 as amended **CARRIED**.

Carrie Brumbach, Redmond EA, moved and Sarah Barclay, Bend EA, seconded to Amend Standing Rule 11 subsection a. to add the language, “any debate per action item once open will have a maximum 20-minute debate time, at which time the vote must be called”

Motion to amend **CARRIED**. Division called. Motion to Amend Standing Rule 11 **FAILED**.

12. New Business Item 12 withdrawn by the Maker.

13. Benjamin Gorman, Central EA, moved that I move that OEA create a task force to design a progressive dues structure for members.

The task force will be composed of representatives from the Executive Council, the accounting department, at least one member in their first three years of membership, a representative of OEA Retired, at least one member who is an ESP, at least one representative from a community college, and a representative of CORE/HCRC or other member with expertise in applying an equity lens.

The task force will produce a plan for the By-Laws Committee and Budget Committee in time to be forwarded to the Board and then voted on at the 2023 RA.

The task force’s areas of investigation will include but shall not be limited to exploring a structure which:

Preserves the OEA’s current budget totals. A progressive dues structure should not limit our union’s ability to do its vital work.

Reduces the dues for new members so they are as low as possible. The dues structure does not need to be strictly linear, but it should incentivize becoming a member.

Reduces the dues for members working in roles that have less compensation, like ESPs, adjunct community college professors, and part time employees, so their portion of the dues are more in line with their current compensation.

Bases dues on an annual, predictable amount according to years of service in education, not years of membership. Postponing membership should not reduce anyone’s dues.

Continue to change over time. The gap between the highest and lowest dues rate should be smaller in the first year of the structure and should increase over time so the progressive schedule isn’t as dramatic a financial burden to any individual.

Includes a significant discount for BIPoC educators until the racial breakdown of our membership aligns with the racial breakdown of our student population. We recognize the need for students to see themselves represented in their classrooms, and we acknowledge the vital role our BIPoC educators play in our union. We need to fund ourselves accordingly.

Provides a model for locals to adopt a similar dues structure. Locals will acquire insight and should be provided with support from the OEA if they wish to employ a similar structure for their local dues.

Debate ensued.

Phil Schapker, Greater Albany EA, moved and Olivia Cole, Dallas EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 13 **CARRIED**. Division called. Motion to approve New Business Item 13 **CARRIED**.

14. New Business Item 14 withdrawn by the Maker.

15. New Business Item 15 withdrawn by the Maker.

16. Tammy Moehlman Hosaka, Hood River EA, moved that OEA create a licensed School Counselor/licensed school social worker Task Force.

Debate ensued.

Michelle Harrison, Portland AT, moved and Beth Yarbrough, Douglas ESDA, seconded to amend to add “licensed” and “licensed school social worker” Motion to amend **CARRIED**.

Debate continued.

Olivia Cole, Dallas EA, moved and Chris Early, Umatilla EA, seconded to close debate. Motion to close debate **CARRIED.**

Motion to approve New Business Item 16 as amended **CARRIED.**

17. Hannah St. Clair, Aspiring Educator, moved that OEA will support and fund travel of the state organizer and OEA aspiring educator leaders to each undergraduate and graduate level educator-preparation program in the state ~~and to~~ present on the union, with an emphasis on the Aspiring Educators program and how they can create, establish, grow, and evolve their own chapter in order to register new incoming educators. This funding will be for at least one and up to four Aspiring Educator leaders.

Motion amended by Maker.

Debate ensued.

Motion to approve New Business Item 17 as amended **CARRIED.**

Beth Yarbrough, Douglas ESDA, requested to reconsider NBI 17.

Discussion ensued.

Motion to reconsider New Business Item 17 **FAILED.**

18. Mikka Irusta, Hood River EA, moved that the OEA Board consider interim policy to create one seat on the relief fund committee for a retired member.

Debate ensued.

Motion to approve New Business Item 18 **CARRIED.**

19. Emilee Refvem, Portland AT, moved that the Committee on Racial Equity's board liaison to work with the OEA Credentials Committee, with appropriate staff support, to analyze the number of BIPOC RA delegates in attendance at the 2022 OEA-RA and submit a report detailing the number and distribution of BIPOC delegates, disaggregated by Region and membership category, to the OEA Board of Directors no later than September 2022. The information from the report will be the focus of discussion at fall 2022 convenings of the board of directors and Committee on Racial Equity in preparation to bring forward recommendations, including strategies to recruit and retain BIPOC delegates to future OEA-RAs from across all membership categories and geographic regions.

Motion to approve New Business Item 19 **CARRIED.**

20. Alisha Chávez, Portland AT, moved that OEA form a task force to identify the roadblocks and to explore ways for OEA to unionize education-related worksites that are not currently unionized.

Debate ensued.

Julie Swinehard, Eugene EA, moved and Corey Hedger, Klamath County EA, seconded to close debate. Motion to close debate **CARRIED.**

Motion to approve New Business Item 20 **FAILED.** Division called. Motion to approve New Business Item 20 **FAILED.**

21. Robin Troche, North Clackamas EA, moved that the Oregon Education Association will complete an audit of programmatic offerings to determine the cost/value of programs relative to the priorities of the organization as iterated in governing documents.

Specifically, who is accessing programs run through the Center for Great Public Schools, the Union School (Summer Conference, Symposium, ECE retreat, Equity Sparks, etc), and Affiliate Services (Fall Advocacy Conference)?

From which membership categories are participants?

From which geographic regions are participants?

From which demographic groups?

Which participants are returning to subsequent engagement opportunities? Who is not? Why?

The results of this audit will be presented to the OEA Board of Directors no later than March of 2023 in advance of being presented to the 2023 OEA Representative Assembly. The board will review the information to identify gaps

between programmatic offerings and membership interest and access. Budgetary recommendations forwarded by the board to the representative assembly will be informed by the data gathered in the audit.

Discussion ensued.

Motion to approve New Business Item 21 **FAILED**.

22. Angela Adzima, Hillsboro EA, moved that all OEA owned buildings have a designated all gender bathroom.

Debate ensued.

Scott Perkins, Glendale EA, moved and Karl Olson, South Umpqua EA, seconded, to amend to read “That all OEA owned buildings have at least one all gender bathroom.”

Motion to amend **CARRIED**.

Motion to approve New Business Item 22 as amended **CARRIED**.

23. Angela Adzima, Hillsboro EA, moved that we investigate the feasibility of offering all gender bathrooms for all OEA leased properties.

Motion to approve New Business Item 23 **CARRIED**.

24. Robin Troche, North Clackamas EA, moved that the Oregon Education Association form an ad hoc committee comprised of representatives from the board of directors, the community college council, and the ESP council, to draft the necessary bylaw and policy language to create full-time release positions for an executive committee member Education Support Professional Director and an executive committee member Community College Director. This committee will work within the context of the organization’s mission, vision, and equity lens to develop position descriptions consistent with the needs of the represented constituent groups for each role. Once drafted, such bylaws and policies will be submitted for consideration at the 2023 Representative Assembly. The 2024 Fiscal Budgeting process will include provisions for the successful implementation of these roles, should the bylaws creating the positions be adopted.

Debate Ensued.

Robert Glasgow, Salem-Keizer EA, moved and Crystal Gascon, North Clackamas EA, seconded to close debate.

Motion to close debate **CARRIED**.

Motion to approve New Business Item 24 **CARRIED**.

25. Kelsy Dunlap, Salem-Keizer EA, moved that OEA support legislation to recognize and retain National Board Certified educators with a statewide bonus structure similar to that of Washington state. In addition, OEA will advocate to reinstate funding for National Board Certification reimbursement through the Teacher Standards and Practices Commission.

Debate Ensued.

Motion to approve New Business Item 25 **CARRIED**.

26. Jody Folkedahl Eppolito, Parkrose FA, moved that OEA send a letter to the State Treasurer and Oregon Investment Council urging divestment of PERS from all funds managed or formally managed by Novalpina Capital. This includes the fund currently managed by Berkely Research Group that owns NSO Group, a spyware company whose software is used to violate the human rights of unions, activists, journalists, among others.

Maker amended the motion.

Debate Ensued.

Motion to approve New Business Item 26 **CARRIED**.

27. Doug Bridge, North Clackamas EA, moved that the OEA or an organization appointed by the OEA investigate options other than the English Language Proficiency Assessment (ELPA) for students to determine proficiency in English.

Debate Ensued.

Karl Olson, South Umpqua EA, moved and Doug Bridge, North Clackamas EA, seconded to bundle New Business Items 27 and 28. Motion to bundle New Business Items 27 and 28 **CARRIED**.

28. Eric Birn, North Clackamas EA, moved that OEA advocate with NEA to create alternative pathways for exiting English Language Development services other than the English Language Proficiency Assessment (ELPA).

Motion to approve New Business Items 27 and 28 **CARRIED**.

29. Paul Sheprow, North Clackamas EA, moved that OEA form a Mobilizing Committee comprised of members from across the state. The Committee will engage our membership to take part in labor actions and events organized both by OEA and also by other unions and the labor movement more broadly.

The Committee will meet virtually once a month regularly and keep track of opportunities to take action in support of public education and educators and also to stand in solidarity with other unions. As the Committee identifies opportunities to mobilize members an OEA clerical staffer will send mobilizing communications to relevant members at the direction of the Committee. Communications from the Mobilizing Committee will include an easy opt-out for any member who does not want to receive such communications.

Motion amended by the Maker.

Debate Ensued.

Motion to approve New Business Item 29 **CARRIED**.

30. Sarah Barclay, Bend EA, moved that OEA continue to support our members who are National Board Certified or working to become National Board Certified by funding NBCT programming. This funding will include, at minimum, the 2nd Annual OEA National Board Certified Teacher Leadership Symposium and Jump Start.

Debate Ensued.

Phil Schapker, Greater Albany EA, moved and Denise Whitney, Greater Albany EA, seconded to close debate.

Motion to close debate **CARRIED**.

Motion to approve New Business Item 30 **FAILED**.

31. Sara Schmitt, Beaverton EA, moved that OEA explore the NEA/AFT agreements that exist in other states, and provide a report to the OEA Board that will include an analysis of the structures, implementation timelines, and benefits of having these agreements. The report will also include any challenges in implementing these agreements, and ways that these challenges have been handled.

Debate Ensued.

Motion to approve New Business Item 31 **CARRIED**.

32. Carissa Albin, North Clackamas EA, moved that candidates endorsed by OEA PAC specify on their campaign literature and other public presentations that they have been endorsed by OEA PAC rather than using the OEA logo.

Debate Ensued.

Corey Hedger, Klamath County EA, moved and Paula Gonyaw, Klamath County EA, seconded to close debate.

Motion to close debate **CARRIED**.

Motion to approve New Business Item 32 **CARRIED**. Division called. Motion to approve New Business Item 32 **CARRIED**.

33. New Business Item 33 withdrawn by the Maker.

34. Alejandra Barragán, Reynolds EA, moved that OEA requests that Oregon Choice Trust reports to local leaders such as the President, Vice President, Treasurer and UniServ Council president when OEA Choice Trust awards financial assistance to the local's school district.

Debate ensued.

David Morrocco, Roseburg EA, moved and Scott Perkins, Glendale EA, seconded to close debate. Motion to close debate **CARRIED**.

Motion to approve New Business Item 34 **CARRIED**.

35. Alejandra Barragán, Reynolds EA, moved that OEA urges OEA Choice Trust to take all necessary steps to ensure that its governing documents and practices reflect and represent the current member and student demographics.

Motion amended by the Maker.

Motion to approve New Business Item 35 **CARRIED**.

36. Alejandra Barragán, Reynolds EA, moved that the OEA President and OEA ~~board~~ members of the OEA Choice Trust board ~~make consider making~~ a motion at their next business meeting to add voting members to the OEA Choice Trust board that would include representation from the ESP, Community College, BIPOC, and LGBTQIA+, no later than October 31, 2022.

Motion amended by the maker.

Motion to approve New Business Item 36 as amended **CARRIED**.

37. Alejandra Barragán, Reynolds EA, moved that the OEA President provide a comprehensive financial report and findings of the most recent financial audit of the OEA Choice Trust to the OEA Board of Directors. In addition, at the OEA RA 2023 a hearing will be made available for delegates to review written reports. ~~Also, following questions need to be answered:~~

~~-Why does OEA Choice Trust still apply to all school employees?~~

~~-Is there a way to amend the plan to primarily benefit OEA members while still serving the school district?~~

~~-What are all the possibilities for using the OEA Choice Trust funds to benefit the intended beneficiaries?~~

~~-Is a VEBA/C9 still the appropriate way for the OEA Choice Trust to be organized?~~

~~-Would OEA be better served if the OEA Choice Trust was focused on providing healthcare policy development and advice to the association? Is it possible under the current formation?~~

~~-What other services can it provide that may benefit OEA?~~

~~-At what level of trust assets does the OEA Choice Trust begin to be at risk for losing its tax exempt status?~~

~~-Who is the plan administrator of OEA Choice Trust?~~

~~-What is the process and history for the OEA Board to provide strategic direction to the OEA Choice Trust Board of Trustees?~~

~~-When was the last time the OEA board approved OEA Choice appointed members?~~

Motion amended by the Maker.

Debate Ensued.

Motion to approve New Business Item 37 as amended **CARRIED**.

End of New Business Items.

OEA POLICIES – APPENDIX A

**Judicial Panel Complaint Form
(OEA Policy 2700 II.C.6.)**

I. Statement of Complaint, including date event occurred:

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)

Name of Member	Signature	Date
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1.
2.
3.
4.
5.
6.
7.
8.
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10.
11.
12.
13.
14.
15.

---OR---

C. Signature of OEA Executive Director:

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RESOLUTIONS

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.

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.

I.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)

I.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)

I.3 School Funding Legislation

The Oregon Education Association believes that the Oregon Legislature fully fund the quality education model. (2006, 08)

I.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 support professionals without just cause and due process. (2008, 10, 17)

I.5 Funding of Mandated Programs

OEA believes that all mandated educational programs be fully funded before they are implemented. (2007)

I.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)

I.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, home school programs, or any charter public school. (1982, 89, 91, 93, 94, 96, 97, 99, 2002, 03, 04, 05, 06, 08, 21)

I.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/freezes. 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)

I.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)

I.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)

I.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 and institutional racism, and generational inequity. The Association believes that our legislative agenda should be proactive with regards to issues around economic inequalities, healthcare for all including mental health parity, loss of living wage jobs, affordable and accessible housing, corporate tax giveaways, and a more progressive tax system. (2013, 21)

II. PROMOTE EDUCATIONAL EXCELLENCE FOR ALL STUDENTS, AND BE A LEADER IN ESTABLISHING AND EVALUATING DECISIONS ON EDUCATION ISSUES

GROUP A: EXCELLENCE

II.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)

II.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 educators 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, 21)

GROUP B: STUDENT RIGHTS

II.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)

II.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)

II.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)

II.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)

II.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)

II.8 Sex Discrimination

The Oregon Education Association believes that sexism and sex discrimination must be eliminated from public schools. (1974, 89, 97, 2004, 08)

II.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 student – 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, 21)

II.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)

II.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.

II.12 Community Based After-School Programs

The Oregon Education Association recognizes the need for quality after-school programs for students 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, 21)

II.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

II.14 Promoting School Safety

The Oregon Education Association believes that effective teaching and learning can only take place in a safe environment. Threats to safety include physical danger and fear, violence, harassment, intimidation, bullying of any kind, threats to students' physical and mental well-being, and acts based on a person's identity or perceived identity as a member of a protected class.

Families, schools, mental health professionals, communities, businesses, and public safety agencies have critical roles in ensuring student safety. The Association supports collaboration among these groups in an effort to address school safety needs.

The Association supports robust programs to improve student and educator mental and behavioral health and education programs in schools that include prevention and intervention strategies. School districts must provide educators with the necessary tools and training to support and protect students and educators - particularly marginalized students and educators - from mental and physical injury, violence, harassment,

intimidation, bullying of any kind, other threats to students' and educators' physical and mental well-being, and acts based on a person's identity, including perceived identity, as a member of a protected class.

The OEA supports academic institutions that wish to create alternative solutions in conjunction with the local community to ensure our students' safety without the dependency on law enforcement. (1996, 97, 2008, 21, 22)

II.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, communicable disease outbreaks and pandemics, natural disasters, 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)

II.16 Weapons In School

The Oregon Education Association believes that weapons, specifically firearms, represent a threat to school safety. Schools must develop policies and procedures that address weapons in schools that are designed to minimize threat and harm. Additionally, schools may work with law enforcement agencies to develop and implement these policies that reduce threats and ensure safe environments. (1995, 97, 2003, 08, 10, 21)

II.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. This includes threats made against groups or individuals based on race, gender identity, national origin, or a person's identity or perceived identity as a member of a protected class. 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, 21)

II.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)

II.19 Healthy Schools

The Oregon Education Association believes that all students and school staff deserve to learn and work in safe and healthy schools. There are many aspects to healthy schools.

The OEA 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 students 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/families 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 according to the highest standards, free of molds, toxic substances, and harmful chemicals. Proper ventilation is necessary to reduce the spread of communicable diseases, improve indoor air quality, and reduce exposure to industrial and other man-made pollutants and intrusions.

School staff and students must have access to necessary cleaning and hygiene supplies including but not limited to cleaning and disinfecting supplies, adequate soap in restrooms and handwashing stations, hand sanitizer, facial tissue, and when necessary, personal protective equipment such as gloves and face coverings.

The Association believes that vaccines are essential medical tools in preventing infectious disease. The Association acknowledges that vaccines must be pervasive to be effective. The Association also believes that

vaccination guidelines from the American Academy of Pediatrics and the Centers for Disease Control and Prevention should be followed by educators, families/guardians, and students. The Association further believes that the Oregon state legislature should establish clear guidelines that minimize the numbers of unvaccinated students. Evidence-based vaccination campaigns are integral in maintaining student and community health.

When schools are impacted by local manufacturing, industry, or proximity to major transportation corridors such as highways, steps must be taken to mitigate the impact of the proximity. This could include, but is not limited to, mitigation efforts such as soundproof walls, increased/improved air filtration and HVAC measures, or other appropriate measures.

The Association further believes that school districts must conduct periodic testing for harmful water, airborne particulates/agents and other hazards. When necessary for public health, testing may also include testing students and school staff for communicable diseases. Such tests should be reported to the public, in accordance with health privacy laws, and measures taken to remedy any problems immediately. (2000, 08, 21, 22)

II.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)

II.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

II.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 student is entitled to a free and 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, 21)

II.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, educational assistants and other relevant ESP staff, and faculty to work cooperatively in the development of the Individual Family Service Plan (IFSP), Individual Educational Plan (IEP), and/or Section 504 plans 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), and/or Section 504 plans especially in terms of placement.
6. Adjustments should be made in class size and caseload using weighted formulas to accommodate the demands of the Individual Family Service Plan/Individual Education Plan (IFSP/IEP), Section 504 Plans, and/or other documentation and the needs of the student.
7. All staff, parents/guardians, 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) and/or Section 504 Plan without recrimination. (1994, 97, 2005, 08, 10, 16, 17, 21, 22)

II.24 Educational Programs for Emerging Bilingual and Multilingual Students

The Oregon Education Association believes that students should become proficient in English. Emerging bilingual and multilingual students must have available to them programs that address their unique needs and provide equal opportunity, regardless of their primary language.

Programs for emerging bilingual and multilingual 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. Emerging bilingual and multilingual 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 their needs.

The Association also believes that emerging bilingual and multilingual 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 emerging bilingual and multilingual students, sufficient to maintain a program of high quality. School districts should provide release time or compensation for the training of teachers who instruct emerging bilingual and multilingual students. Association members must be fully involved in the development and implementation of programs serving emerging bilingual and multilingual students, including the assignment of teachers and the terms and conditions of their employment. (2003, 06, 08, 10, 21)

II.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)

II.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)

II.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)

II.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)

II.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)

II.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)

II.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 there must be well-developed criteria and guidelines for identifying, supporting and teaching these students. Such identification must be culturally sensitive and must not discriminate on any basis other than the exceptionality being identified.

The Association also believes that culturally responsive professional development programs in gifted, talented and creative student education must be provided for educators. (1985, 89, 97, 2008, 21)

II.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)

II.33 Students Navigating Poverty

The Oregon Education Association believes there should be effective educational strategies for students navigating and impacted by poverty.

The Association also believes that educational personnel should be aware and offered training to support students navigating poverty (2005, 08, 19, 21)

II.34 Equitable Opportunities for Students of Color

The Oregon Education Association believes there should be equitable educational opportunities for students of color. The Association also believes educational personnel should be aware of and receive professional learning in historic and current inequities for students of color within the school system; effective strategies and policies to provide equitable opportunities; and the benefits to students of color and society as a whole when all students have equitable opportunities for success. Equitable opportunities for students of color must further be based in anti-racism principles that value the lived experiences, history, and culture of students of color and hold those experiences as having equal importance to other racial or cultural groups. Educational institutions must be committed to deepening the practices of anti-racism so that race is no longer a predictor of student success.

Those practices should include but are not limited to:

- A focus on equity-centered and anti-racist strategies
- Eliminating barriers to developing and implementing equity-centered policies and procedures, including examining existing policies and procedures for explicit and implicit bias
- Creating equitable access to learning resources including digital resources and technology
- Supporting student affinity groups that focus on racial and social justice
- Implementing high-quality professional learning programs on diversity, equity and inclusion for school staff and leaders

Racial injustice impacts communities and students of color and is a barrier to equitable opportunities for students of color. (1974, 89, 94, 96, 97, 2008, 19, 21, 22)

II.35 Student Parents

The Oregon Education Association believes school districts should provide programs and services that encourage student 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, 21)

II.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)

II.37 Equal Opportunities for Students Identifying as LGBTQ+

The Oregon Education Association believes schools should be safe, welcoming, and affirming for students identifying as lesbian, gay, bisexual, transgender, non-binary, queer, and questioning (LGBTQ+) and be afforded equal opportunities within the public education system.

The OEA further supports appropriate and inclusive educational programs that address the unique needs and concerns of students who identify as LGBTQ+. The OEA supports efforts and contributions by educators, parents/guardians, community leaders, organizations, and partners in the development of these programs. These programs must also include counseling services and programs staffed by appropriately trained personnel to address the high incidence of bullying, harassment, sexual violence, dropout rates, and suicide within this group of students. (2021)

GROUP E: GENERAL EDUCATION PROGRAMS/CLASSES

II.38 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 pre-K through post-secondary levels 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, 21)

II.39 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)

II.40 Life Roles and Career Education

The Oregon Education Association believes that preparation of students for multiple life roles should be a basic policy of education. Educational programs should be developed for all students which will assure equal opportunity for career and occupational development as well as life skills. (1974, 89, 94, 97, 2008, 21)

II.41 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)

II.42 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 based on the science of reading with appropriate intervention, especially in the early grades, is essential for learning in all content areas and for achieving high standards. This instruction should include systematic instruction for both decoding skills and language comprehension. Educators at all levels should be provided with adequate resources, including a fully funded and staffed library and encouraged to use their expertise to address the diverse needs of students.

The Association also believes that educators' efforts to value and promote reading should be supported by parents/guardians, licensed teacher librarians, other education employees, and communities. (2006, 08, 21)

II.43 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)

II.44 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.

The Oregon Education Association believes that all students 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. (2010, 21)

II.45 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)

II.46 Comprehensive Sexuality Education

The Oregon Education Association believes a comprehensive sexuality education, including information about HIV/AIDS, provides students with knowledge and skills that will empower them to: realize their health, well-being and dignity; develop respectful social and sexual relationships; consider how their choices affect their well-being and that of others; and understand and ensure the protection of their rights throughout their lives. Such instruction must be complete, medically accurate, and age appropriate and developed by qualified educational and/or health care professionals. The Association believes a comprehensive sexuality 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 a comprehensive sexuality education should 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 comprehensive sexuality education curriculum.

Comprehensive sexuality education programs should include information on issues concerning consent, sexual abstinence, birth control and family planning, diversity of culture, diversity of sexual orientation, 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, 21)

II.47 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)

II.48 Metric System

The Oregon Education Association believes in the instruction of the metric system as an important system of measure. (1975, 89, 97, 2008)

II.49 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)

II.50 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)

GROUP F: INSTRUCTION

II.51 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)

II.52 Instructional Time

The Oregon Education Association believes that quality instructional time leads to student learning and growth. The OEA opposes overly prescriptive mandates at the state and local levels that dictate how to apportion time within the instructional day to various content areas. The OEA also opposes any definition of instructional time that narrowly defines this time as direct instruction from an educator. Overall instructional time for students, regardless of the delivery model, should be developmentally appropriate and differentiated by grade level. The instructional day should include ample time for students to access opportunities for physical movement and play and adequate time to eat a healthy meal as research shows these activities support learning. The instructional day must equally value traditional academic subjects such as reading and math and opportunities for students to have a well-rounded education, engage in high-leverage instructional delivery such as project-based learning, and engage in critical thinking. (1980, 89, 97, 2008, 21)

II.53 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 single measure of student's performance or on the results of high stakes assessments and must take into account multiple measures that are collected over time and include measures of social and emotional readiness and impact as well as academic measures. (1978, 89, 97, 2001, 08, 21)

II.54 Technology Integration

The Oregon Education Association, recognizing the integration and application of technology in our society, believes that students and staff of school districts and higher education institutions should be provided instruction in technology integration. The use of technology in the classroom should be aligned with developmentally appropriate curriculum. Technology should support student success and equitable student outcomes, and not create further barriers for students or educators. The Association further believes that new technologies should not be used to replace staff, and be used to enhance the traditional exchange of ideas and increase interpersonal contact that characterizes sound education. (1983, 89, 97, 99, 2008, 22)

II.55 School Libraries

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 curricula should follow Oregon's state standards as adopted by the State Board of Education 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, 21)

II.56 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)

II.57 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.

(Student 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, useable 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)

II.58 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)

II.59 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

II.60 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)

II.61 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)

II.62 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 licensed educators, 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, 21)

II.63 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)

II.64 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)

II.65 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)

II.66 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
15. Compliance with state academic standards and assessment requirements. (1999, 2008, 17)

II.67 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, including, and not limited to, incidents based on race, gender identity, national origin or incidents based on a person's identity or perceived identity as a member of a protected class. 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, 21)

II.68 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 students 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, 21)

II.69 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)

II.70 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)

III. BUILD SUPPORT FOR PUBLIC EDUCATION AND EDUCATION EMPLOYEES

III.1 Public Education

The Oregon Education Association believes in a free and appropriate public early childhood through 12th grade education for all students. The Association believes access to higher education should be affordable and accessible to all, which could include programs that eliminate tuition and fees. It is the responsibility of state and local governments, and the community to provide for the education of its students. (1974, 77, 89, 93, 94, 97, 2005, 06, 21)

III.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)

III.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)

III.4 Home Schooling

The Oregon Education Association believes the developmental needs of students are best served by the public schools. However, if parents/guardians 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, 21)

III.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 educators in defining the needs for our students and strategies to meet those needs. (1989, 97, 21)

III.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)

III.7 Accessibility of Facilities

The Oregon Education 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)

III.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)

III.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)

III.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)

III.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. The Association must take steps to be in meaningful and authentic coalition with communities that are representative of the student population, including communities that speak languages other than English. (2002, 19, 21)

III.12 School Restructuring

The Oregon Education Association believes school restructuring efforts must employ a democratic process that meaningfully involves associations and other stake holders 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)

IV. SECURE AND EXPAND PERSONAL, PROFESSIONAL, LEGAL AND HUMAN RIGHTS FOR ALL SCHOOL EMPLOYEES

IV.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)

IV.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)

IV.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)

IV.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)

IV.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.

The Association recognizes the importance of diverse identities among educators. Efforts should be made to expand our ability to attract and retain educators from diverse backgrounds. The Association recognizes that these efforts will often need to be targeted, intentional, and equitable rather than equal and universal. The Association recognizes that equitable representation of staff benefits all students, our education system, and society as a whole. (2006, 09, 16, 19, 22)

IV.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)

IV.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 recognizes that teaching about historic and contemporary racial, social, gender and other inequities can produce discomfort for students and educators, but teaching about these inequities is essential to provide students with a full and honest education. Educators should be provided essential learning opportunities to be able to lead instruction on a wide variety of historical topics from pre-K through higher education. Attacks on educators for this kind of instruction should be treated as attacks on the profession as whole. Those educators must be defended using the union's full collective power. The Association will provide wrap-around support for educators who face attacks when engaging in this crucial component of education.

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, 22)

IV.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)

IV.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)

IV.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)

IV.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 allocated in a timely manner to finance collective bargaining agreements. (1988, 89, 91, 97, 22)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.19 Just Compensation Formula/Supervising Teachers

The Oregon Education Association endorses uniform and just compensation for student teacher supervisors and mentors. (1974, 89, 97)

IV.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)

IV.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)

IV.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, including but not limited to incidents based on race, gender identity, national origin, or a person's identity or perceived identity as a member of a protected class, 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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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)

IV.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.

IV.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)

IV.37 Temporary Licensed Bargaining Unit Members

The Oregon Education Association believes that a temporary licensed bargaining unit member who is rehired for a second year by a district shall be contracted as a second-year probationary educator in the bargaining unit. (1980, 97, 21)

IV.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 specific individual student supports and mental and behavioral health needs of the students.
- e. Be entitled to representation and/or support by state and national affiliates in collective bargaining.
- f. To the extent possible, be able to instruct in the subject for which they are substituting that may require special skills such as language skills for dual language programs, special education, CTE, or other highly specialized areas.

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. If this practice occurs, all measures should be taken to ensure it only happens in emergency circumstances, for the least amount of time possible, and those who cover a class should be justly compensated.

The Association 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, 21)

IV.39 Substitute Education Support Professionals

The Oregon Education Association believes that ESPs are vital school personnel. School districts should develop substitute programs for all ESP classifications to ensure students continue to receive vital, consistent services and support when an ESP is absent.

IV.40 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 students. 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 deplors 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, 21)

IV.41 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)

IV.42 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)

IV.43 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)

IV.44 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)

IV.45 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)

IV.46 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)

IV.47 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)

IV.48 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)

IV.49 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)

IV.50 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)

IV.51 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)

IV.52 Parity in Retirement

The Oregon Education Association believes educators are essential frontline public service workers and therefore, the percentage of yearly basis of retirement for school employees should be brought into parity with fire fighters and police officers. (1975, 89, 97, 22)

IV.53 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 believes there should be ethical, moral, and transparent professional standards of conduct for how Members' retirement money is invested. These standards should not be overshadowed by a desire for a high return on investment. Funding businesses that routinely violate human rights should be avoided or rectified when discovered.

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, 22)

IV.54 Social Security

The Oregon Education Association believes Social Security benefits should be guaranteed. The benefits should continue to guarantee inflation adjusted retirement income as well as continue to provide guaranteed inflation adjusted survivor benefits for the families of deceased workers and disabled workers and their families.

The Association further believes that Social Security retirement and survivor benefits should be based upon the Social Security program and Social Security taxes. The Association supports the goal of comprehensive health insurance for retirees.

The Association also supports the reform of Social Security laws to eliminate discriminatory offset provisions and discrimination based on sex, marital status, or time of retirement and to reduce the retirement age. The Association opposes the privatization of the Social Security system and other reform measures that would weaken the system.

No benefit promised or no benefit for which money has been collected should be withdrawn without adequate replacement. (2005)

IV.55 Medicare

The Oregon Education Association believes in comprehensive health insurance for retirees. The Association also believes that Medicare is an important part of access to health care. The Association further believes that Medicare must be available as a universal guaranteed benefit. (2005)

IV.56 State Health Care Policy

The Oregon Education Association believes in the establishment of universal health care designed to provide affordable, quality, comprehensive health care to all Oregonians. (1991, 97, 2008, 12)

IV.57 Retirement Investment Board

The Oregon Education Association believes an OEA member should continue to serve as an official board member to the Retirement Investment Board of the Public Employees Retirement System. (1978, 89, 91, 97, 2005)

IV.58 Economic Relief

The Oregon Education Association believes that local affiliates and OEA should provide economic relief and moral support for school employees in crisis situations. (1977, 91, 94, 97)

V. HELP MEMBERS ACHIEVE PROFESSIONAL EXCELLENCE AND MEET THE DEMANDS AND STRESSES OF THEIR JOBS

V.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)

V.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)

V.3 Accreditation of Educator Preparation Programs

The Oregon Education Association supports a robust and quality accreditation program for the purpose of accrediting educator preparation programs in colleges and universities throughout the state and nation. All educator preparation programs should continue their work toward informing, setting, and meeting national standards (such as the Council for Accreditation of Educator Programs standards) in order to rigorously and thoughtfully prepare educators to successfully meet the needs of students and grow as reflective practitioners. Quality accreditation standards must be informed by professionals working in the field. (1974, 97, 17, 21)

V.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 position requiring a license 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 licensed 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, 21)

V.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 TSPC licensed educators (except administrators). TSPC licensed educators (except administrators) appointed to the commission 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 TSPC licensed educators, 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 educator preparation programs 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 educator preparation programs are counter-productive to effective education. (1982, 89, 95, 97, 2005, 09, 11, 21)

V.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)

V.7 Licensed Educator Preparation

The Oregon Education Association believes that educator preparation programs must:

- a. involve licensed educators and students in design, implementation, changes, evaluation and improvement of the standards for educator preparation and licensure; (2021)
- b. include pre-professional practicum experience as an essential phase of educator preparation. The responsibility for the practicum experience must be shared by the public schools, educator preparation programs the institutions that prepare educators, and professional associations; (2021)
- c. include an actual work experience in public schools prior to completion of an 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, 21)
- d. include learning about the Model Core Teaching Standards and educator evaluation laws and processes; (2021)
- e. use educators currently employed in elementary and secondary schools to augment the instruction of methods courses by the college or university staff; (2021)
- f. take steps to improve the selection of persons entering educator preparation programs through more effective screening of applicants; (2021)
- g. take steps to improve the diversity of the education workforce by conducting outreach to racially, linguistically, and ethnically diverse candidates and eliminating culturally-biased and institutionally-biased barriers to entering educator preparation programs; (2021)
- h. take steps to prepare licensed educators in numbers consistent with projected need for licensed educator positions; (2021)
- i. require for first licensure that all students pass a course or workshop instructing them in their legal rights and responsibilities as educators and in interpreting collective bargaining agreements. United Education Profession (UEP) approved personnel should instruct these courses/workshops; (1974, 89, 97. 2006, 09, 21)
- j. 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, students, and adults/parents.

School employees are encouraged to increase student awareness and understanding of child abuse. (1982, 89, 91, 97, 2004, 09, 17)

- k. include personal interaction and involvement and not be exclusively replaced with on-line and long-distance training. (2009)
- l. include a broad range of diversity, equity and inclusion training for school employees that includes awareness of implicit bias and institutional racism. (2013, 19)
- m. include training around differentiated, culturally responsive and trauma informed strategies for supporting students. (2017, 19)
- n. include a basic knowledge of a Functional Behavioral Assessment (FBA) and a Behavior Support Plan (BSP) (2017)

V.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)

V.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) working within a professional community; (2021)
 - 2) the positive and supportive treatment of students; (2021)
 - 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)
 - 7) Oregon's restraint and seclusion laws that could include approved restraint training; (2021)

- 8) Medically necessary training required for the position such as CPR, glucagon, epinephrine, and others; (2021)
- 9) Necessary training to support students with disabilities. (2021)

V.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)

V.11 National Board Certification

The Oregon Education Association supports voluntary national board 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, 21)

V.12 Professional Licenses

The Oregon Education Association believes that the profession must govern licensing of classroom teachers, administrators, and educators with personnel service licenses, through the Teacher Standards and Practices Commission as well as speech language pathologists who are licensed through the Oregon Board of Examiners of Speech Language Pathology and Audiology (BSLPA). The TSPC and BSLPA must set and enforce standards of licensure in conjunction with approved educator preparation programs. The Association further believes that out-of-state applicants meet Oregon licensing requirements.

The Association believes that requirements for licensure maintain professional fidelity and be set by educators in the field, not the public. The Association also believes that licensing should not be based on student outcomes.

The Association further believes that the TSPC and BSLPA conduct all investigations through a peer review process that includes practitioners in the field. 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. TSPC and BSLPA staff proposals must reflect the testimony and findings of the hearings. The Association further believes that all TSPC rule changes must go through at least two public readings and public notice before final adoption. (1982, 89, 95, 97, 2009, 11, 19, 21)

V.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 educators who are already practicing in these areas. (1987, 89, 96, 97, 2021)

V.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)

V.15 Educator Testing Requirements

The Oregon Education Association believes the testing of experienced educators who are already practicing in classrooms, schools and school districts is unnecessary. The Association advocates the active assessment of all educators through regular, comprehensive, authentic, and meaningful evaluation procedures. Testing of applicants to the education profession by university and college educator preparation programs is appropriate as long as instruments are bias free and performance oriented. (1985, 89, 95, 96, 97, 21)

V.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)

V.17 Peer Support & Peer Assistance Programs

The Oregon Education Association believes that peer support and assistance programs provide support by sharing constructive ideas in order to improve instruction and believes that high standards within the education 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 educators, 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 educators who are deemed by their peers to be highly skilled practitioners are selected to provide peer support and assistance as a consulting educator, that the consulting educator’s areas of expertise are the same as or closely related to that of the participating educator, and that the consulting educator is chosen by the program governing bodies with the approval of the participating educator involved;
- d. Seek consulting educators who reflect the diverse population of the staff and student body;
- e. Provide that consulting educators are properly compensated and provided adequate time to fulfill their responsibilities;
- f. Provide that consulting educators receive extensive and ongoing support in mentoring/coaching skills, district initiatives and resources, and current education instructional methods;
- g. Establish guidelines for the referral of educators as well as safeguards to prevent unwarranted referrals;
- h. Establish and convey to all consulting and participating educators 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 educator evaluation procedure. (1986, 97, 98, 2021)

V.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)

V.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)

V.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 student. The Association believes reasonable class size/case load maximums must be established based upon the type of students, student needs, subject area content, physical facilities, best practices and other criteria. When exceptional students are included in a class, a weighted formula should be applied. (1974, 89, 97, 2007, 21)

V.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 and caseload. 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, 22)

V.22 Educator Exchange Program

The Oregon Education Association believes local school districts should participate in an educator 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, 21)

V.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)

V.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 licensed educator displaced by an administrator as a result of the temporary return should be placed in a meaningful, appropriate and paid position. (1976, 89, 95, 97, 2004, 09, 21)

V.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)

V.26 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 TSPC licensed counselors. Further, the Association endorses a student-to-school counselor ratio of no greater than 250:1 as recommended by the National Association of School Psychologists. (1984, 89, 97, 2017, 19, 21)

V.27 Licensed Teacher Librarians

The Oregon Education Association believes that literacy and library skills are an integral part of the learning process. Personnel instructing and/or managing the library shall be TSPC licensed teacher librarians. TSPC licensed teacher librarians are essential at all levels of instruction and provide unique information literacy, reading engagement, and social responsibility education.

The Association further believes when Education Support Professionals are used in libraries, they should be provided the appropriate staff development and be under the supervision of a TSPC licensed teacher librarian in the building. The Association believes ESPs working in partnership with TSPC licensed librarians provide for the strongest library programs. (1984, 89, 97, 2003, 04, 08, 09, 11, 21)

V.28 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)

V.29 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)

V.30 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.

V.33 Education Support Professionals in Education Process

The Oregon Education Association believes that all 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)

V.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)

VI. PURSUE ORGANIZATIONAL EXCELLENCE INCLUDING SYSTEMATIC COMMUNICATIONS WITH MEMBERS AND INVOLVEMENT OF MEMBERS IN DECISION-MAKING

VI.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.

OEA should make every effort to include all local association leaders and members in OEA events, which may include financial, release time, and/or travel support for members. (1976, 89, 97, 2013, 17, 21)

VI.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)

VI.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)

VI.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)

VI.5 Special Services/Member Benefits

The Oregon Education Association believes that special services/member benefits should be provided for its members. (1977, 95, 97)

VI.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)

VI.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)

VI.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)

VI.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)

VI.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)

VI.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)

VI.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)

VI.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)

VI.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)

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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.

2022 OEA RA STANDING RULES

Approved March 31, 2022

- 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 Representative Assembly.
- 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. Credentials
- a. Delegates participating virtually shall log in using the link provided and their unique delegate ID. Delegates may not share the Representative Assembly link or ID with any other individual. Delegates must display their name to be admitted into the RA.
 - b. If attending in person, delegates shall be required to wear the badge issued by the Credentials Committee for admission to the assembly hall.
- Rule 6. Language requirements for motions
- 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.
 - b. All motions which encumber the Association with expenditures shall include an estimate of the expenditures which shall be provided by maker, revised if needed by the Executive Director or designee, and presented to the delegates. If adopted, Representative Assembly actions which encumber the Association with expenses shall be sent to the OEA Program/Budget Committee to make the appropriate recommended budgetary adjustment to the OEA General Fund. The recommendation will be submitted to the Board of Directors as part of the final budget approval process.

Rule 7. Bylaws/Policies:

- a. Proposed amendments to the Bylaws will be considered only if they are submitted sixty days prior to the Representative Assembly 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 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. Amendments may be submitted to the committee in writing at any time during the year but must be submitted before the end of the final Resolutions Committee hearing. 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 to which changes are proposed by the Committee or by delegates. Any delegate who proposes an amendment to a Resolution by the required deadline, 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 on the official form will be distributed by the start of regional Caucuses. All New Business Items must be submitted by 11:59PM, April 23, 2022; amendments may be submitted by the maker no later than April 28, 2022, for update without debate. The New Business item shall also include a statement of rationale and will be identified with the name and board district number of the motion maker.

For the purposes of the 2022 OEA Representative Assembly, no second will be necessary.

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.

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. Process:

- Any member who has an idea for a New Business Item (NBI) may submit it for action at the Representative Assembly (RA).
- Only a delegate, however, may move it on the floor of the RA.
- Before submitting a 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 the electronic motion form, include the name of the maker and include both the action to be accomplished through the NBI and a rationale. Additionally, the author must also provide a cost estimate.
- 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 submitted via electronic means.
- All NBIs will be reviewed by leaders and/or staff; the author will be notified once the review is complete to clarify any points in the NBI, including if the reviewers believe the NBI may be ruled out of order.
- The maker has the opportunity to rewrite the item or withdraw it prior to final submission.
- Concepts for changes to NBIs may be made by any delegate at the NBI hearing or directly to the maker.

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 through the online submission form, to the chairperson of the Legislative Advisory Council no later than the conclusion of the final hearing.
- c. A maker of a motion for Legislative Objectives will be allowed to update their motion without debate if that amendment is submitted by the Thursday prior to the Representative Assembly.
- d. 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 final hearing.

Rule 11. The following rules shall govern all floor debate:

- a. Each speaker shall be limited to 1 minute for discussion on any topic, except that the maker of a motion shall have 2 minutes to present their motion 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 the delegate goes to a microphone, is recognized by the chair, gives their 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 their time to another delegate.
- c. Prior to final vote on the motion, the chair of the assembly shall read the full motion under consideration.
- d. Votes on motions shall be a predetermined method communicated to the delegates. On the request of any delegate, however, a standing division of the Assembly shall be taken. Any delegate may call for a roll call vote, 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. Voting by electronic means will be considered a roll call vote.
- e. Amendments to motions shall be presented in writing to the Recording Secretary prior to or simultaneously with presentation of the amendment.
- f. For the purposes of the 2022 RA, only amendments and amendments to amendments will be allowed.
- g. Any delegate may call for a caucus; a majority vote of the delegates present shall determine if the Assembly will be recessed for caucus.
- h. OEA Board Directors shall be Ex-Officio members of the Representative Assembly 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.
- i. 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.
- j. 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 their 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 Assembly 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. 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 16. 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 17. 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 18. When a chairperson is not a delegate, they may not make motions on behalf of their committee or council and shall appoint another delegate to do so.
- Rule 19. 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 20. The RA will conclude when all business has been finished and if quorum is lost, unfinished business will be referred to the board.
- Rule 21. Delegate expense vouchers shall be submitted to the OEA within 30 days. Vouchers not received within 30 days may not be paid.
- Rule 22. Minutes of the OEA RA will be posted on the OEA member web site within 30 days of the adjournment of the Representative Assembly.
- Rule 23. 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. NEA
 - d. Oregon local EAs and Councils
 - e. Special Interest Caucuses
 - f. Individual members wishing to promote activities that advance or are compatible with OEA/NEA goals or projects.
 - g. Groups endorsed by OEA - Trusts, California Casualty, etc.
- Any requests received within three weeks of the OEA RA will be considered on a space available basis only.
- Rule 24. The OEA Board of Directors is empowered to approve proposed changes to these OEA RA Rules. The (changed) Rules will be available at Pre RA Meetings (PRAMS) and will be subject to approval by the RA.
- Rule 25. Materials distributed on the floor of RA will be clearly marked with delegate contact.
- Rule 26. 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.

OEA-PAC BYLAWS

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

- g. 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

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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.

PROTECTING STUDENTS’ HEALTH AND 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. Advocate for early childhood education programs that include Oregon Pre-K, Head Start, and other providers of preschool for all students who wish to enroll. This includes championing universal preschool statewide.
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.
6. Promote the creation of guidelines for English Learners (ELs) to exit English Language Development (ELD) programs that include local portfolio information to demonstrate student proficiency.

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.
6. OEA supports efforts to honor indigenous people in meaningful ways, which may include closure of schools on the state Indigenous Peoples Day holiday in October of each year.

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-conviction alternatives for early-stage serious offenders.

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. Support additional resources for trauma-informed care and other student supports.
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 poor indoor air quality, school-zone traffic dangers, disease contagion, structural safety, 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.

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 68 percent in the 2019-2021 biennium.

Once public education became a primarily state-funded system, the Deschutes Co. Circuit Court ruled that the distribution of funds had to be done equitably, so that students across the state would have a roughly equal educational opportunity, controlling for differences in cost and revenue capacity from district to district. The funding formula, nationally regarded for its emphasis on calculating the uncontrollable cost factors through its system of mathematical "weights", has confronted biennial challenges from legislators seeking to direct a larger share to their own districts, from those who see the formula as a means of rewarding or punishing districts, and from groups seeking to convert the distribution method into a categorical spending mandate. OEA and its education allies have systematically opposed all efforts to distort the formula for these ends.

Legislative attention to school funding has focused on investment adequacy through the Quality Education Model, on system stability as measured by a no-cuts-level "current service level" calculation, and of programs to assist districts with their capital expenditures. 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.

In 2019, OEA led a coalition of groups that wrote and fought for passage of a game-changing additional resource for pre-K and K-12 funding: the Student Success Act (SSA). New resources based on commercial activity (the "Corporate Activities Tax") are dedicated to a K-12 grant program and two other education accounts. When fully funded (after 2021), the CAT tax should yield about \$1 billion a year. Fifty percent of that sum will be dispersed to districts through the Student Investment Account; up to 30 percent will go to statewide initiatives particularly focused on Oregon's most marginalized students; and the final 20 percent will be distributed to a variety of early learning programs, such as Oregon PreK, relief nurseries, and a new culturally specific preschool program. Depending on how much the state invests in the more flexible, operational dollars of the State School Fund, the SSA could bring state funding to approximately 94 percent of the level the Quality Education Commission deems as adequate.

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.

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.
2. 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.
3. Ensure that the distribution of community college funding is equitable.
4. Retain locally elected community college boards as the primary decision-makers for community college districts.
5. Ensure that discretionary funding sources be available for each community college.
6. Pursue state funding for capital expenditures.
7. 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.
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 developmental education as part of the core curriculum to promote open-access and equitable outcomes.
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 audits and budgets at the state and local levels by developing and enforcing a standardized method for public reporting of each college's Comprehensive Annual Financial Report and other financial statements.
13. Ensure that financial aid program or legislation related to tuition rates prioritize access for low-income and middle-class students.
14. Ensure that community colleges can hire an adequate number of counselors, full-time faculty, and other staff to support student success.
15. Ensure that community colleges maintain an instructional workforce of at least 60 percent full-time faculty with a goal of 75 percent, achieved through a commensurate increase in state funding.
16. Ensure that part-time faculty and part-time staff receive health care benefits.
17. Ensure that part-time faculty are paid at the same rate as full-time faculty at the same institution for teaching duties, and at rates no less than 85 percent of full-time faculty equivalent rates for the purpose of pay equity, achieved through a commensurate increase in state funding.
18. Ensure that community college funding does not depend on so-called performance or outcome measures and does not encourage policies that limit the open-access mission of community colleges.
19. Promote policies and systems that address student and part-time faculty housing and food insecurity.
20. Establish oversight for community college expenditures to ensure adequate funding of the instructional mission at each college.
21. Ensure that part-time faculty are eligible for unemployment benefits during summer and all breaks between terms by enacting legislation that codifies that part-time faculty lack "reasonable assurance" of a return to work due to the contingent nature of their employment, regardless of offers of assignments for subsequent terms.
22. Ensure that faculty members maintain academic freedom rights. Prohibit any bans or limitations on curriculum.
23. Ensure robust support for curriculum that promotes understanding of systemic oppression and furthers social justice.
24. Establish a statewide system for generating student performance and outcomes data as students move through the higher education system (e.g. majors after transfer).
25. Ensure that dual credit meets high quality standards.

26. Ensure that PERS and other benefit eligibility is determined by a standardized method at all colleges that represents a fair estimation of the work performed by adopting the 3.35 factor per instructional hour calculation utilized for the purpose of public service loan forgiveness.

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. Graduation requirements should be attainable for the maximum number of students.
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 does 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.
6. Seek equitable transitions for pre-K students entering Kindergarten by advocating for more culturally sustaining Pre-K programs in elementary schools and for more resources to fund onboarding, outreach, and other supports.

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.

In 2019, the Legislature passed SB 1049, a far-reaching PERS bill which redirected a portion of PERS members' Individual Account Plan (IAP) contributions into a new "Employee Pension Stability Account" which will be used to buy down the PERS unfunded actuarial liability instead of going into members' retirement savings. This occurs regardless of whether an employee or employer makes the 6% IAP contribution. For Tier 1 and 2 PERS members, the redirected amount is 2.5% of salary, leaving a 3.5% contribution to the IAP. For OPSRP members, the redirected amount is .75%, leaving 5.25% contributed to the employee's IAP. Employees earning \$2,500 or less each month were exempted from the redirect.

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.
22. Support legislation that increases the transparency of PERS investments.

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. Advocate for TSPC support for educator candidate licensure that is free from cultural, linguistic, and socio-economic bias. Start by eliminating ED-TPA and any licensure requirement that inappropriately or unfairly assesses/judges teacher candidates, especially those who are placed in non-traditional classroom settings.
3. Advocate for recruitment and retention of new educators, particularly those from underrepresented and rural communities, by supporting efforts to provide educator development pathways and financial assistance.
4. 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.
5. 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.

6. 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.

RECOMMENDATION:

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 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 affordable, quality, comprehensive health care to all Oregonians.
 12. Support efforts to hold down the cost of employee health benefits by working to address factors that drive costs, such as pharmaceutical and hospital pricing.
 13. Ensure that educators' personal contact information is protected from sharing outside of the employer and employee union to the greatest extent possible.
 14. Strengthen collective bargaining protections and information access to ensure the ability of the Association to effectively organize and represent education support professionals.
 15. Advocate for programs and strategies to diversify the public education workforce so that it more closely resembles the racial/ethnic demographics of Oregon's students. This includes such programs as a BIPOC educator statewide tuition remission program.
 16. Support efforts by the state of Oregon to recognize, fund trainings for, and create financial incentives for completion of national advancement certifications, such as National Board Certification.

MAINTAINING A STRONG EDUCATOR VOICE IN PUBLIC POLICY

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

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.

AFFIRMATIVE 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.

**2022 OEA
AFFIRMATIVE ACTION REPORT**

Goals By Gender:	Current Total Empls.	Current Male Empls.	Current Female Empls.	Goals For Women Staff
Mgmt Staff	6	3	3	40-50% (met)
Directors	3	1	2	50% (met)
Confidential	3	0	3	40-50% (met)
Prof Staff **	49	27	22	40-50% (met)
Assoc Staff	35	3	32	40-50% (met)
Goals By Ethnic Minority	Current Total Empls.	Current Ethnic Minority Male Empls.	Current Ethnic Minority Female Empls.	Goals for Ethnic Minority Staff
Mgmt Staff	6	0	1	5-15% (met)
Directors	3	1	1	5-15% (met)
Confidential	3	0	0	5-15%
Prof Staff	49	6	6	5-15% (met)
Assoc Staff	35	0	3	5-15% (met)

As of March 1, 2022

OEA PRESS

Oregon Education Association
6900 SW Atlanta Street
Portland OR 97223

9/2022