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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 RA 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 90 days prior to the first business 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.

e. Equity Director – Advise President and executive officers on diversity, equity, and affirmative action matters

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 their 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 first business 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.

E. PROXY DELEGATES FOR OEA RA

Local affiliates that are allocated three (3) or fewer delegates may proxy with other eligible local affiliates to ensure delegate representation. In late January, OEA sends report forms that contain delegate allocations for the representative assembly to each eligible local affiliate.

1. Local Associations may form temporary membership units for delegate representation at the OEA RA. Locals that have three delegates or fewer can donate or receive proxy delegates.
2. Local Associations interested in applying proxy delegate allocation purposes should contact their UniServ Council President.
3. Local Association Presidents must inform the council and state in written notice or email that there were no members able to participate and that they are allocating their delegate to their UniServ Council.
4. The council will keep all correspondence on the allocation of delegates.
5. The council President will know the number of vacancies and open proxy positions to those locals who have expressed interest. If the number of volunteers exceeds the available proxy delegates the council will hold a lottery for the vacancies. The Council President will notify all involved.
6. All delegates will be registered with OEA by the deadline for delegate names.

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. The Senior NEA Director or designee shall be a voting member of the Program Budget Committee.

V. ESP DIRECTOR'S ROLE STATEMENT

A. To represent the Oregon Education Association and carry out the work of OEA with the education support professional (ESP) constituency.
B. Adheres to the responsibilities set forth in Article VIII of the OEA Bylaws and Policy 2400.
C. Acts in the interest of OEA members.
D. To be accountable to the Board of Directors.
E. To be a voting member of the OEA Executive Committee.
F. To be a voting member of the OEA Budget Committee.
G. To assist the OEA President as requested to further the mission and goals of OEA.

VI. COMMUNITY COLLEGE DIRECTOR'S ROLE STATEMENT

A. To represent the Oregon Education Association and carry out the work of OEA in the community college constituency.
B. Adheres to the responsibilities set forth in Article VIII of the OEA Bylaws and Policy 2400.
C. Acts in the interest of OEA members.
D. To be accountable to the Board of Directors.
E. To be a voting member of the OEA Executive Committee.
F. To be a voting member of the OEA Budget Committee.
G. To assist the OEA President as requested to further the mission and goals of OEA.

VII. EQUITY DIRECTORS' ROLE STATEMENT

A. To work collaboratively with OEA members, elected leaders, and the OEA Board of Directors in implementing and improving the policies, goals, and objectives of OEA around issues of diversity, equity, and affirmative action.
B. To meet as necessary with local leaders and members to train, provide support, gather feedback, and promote OEA equity goals.
C. To create a work plan that would include items such as an equity committee that would then field and assess questions and concerns by Black, Indigenous and People of Color and other historically marginalized communities that are OEA members. The Equity Director could be a tie breaking vote for actions taken.
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 OEA Program Budget Committee.
G. To assist the OEA President as requested with respect to presidential cabinet roles, expectations, and responsibilities such as serving as the OEA representative in meetings and at functions of an official nature.
H. To attend Council meetings and committee meetings as necessary to fulfill the role.
I. To work with state, national, and local staffs as requested.

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 their 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 their 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 their 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 their respective area and conveys such to the OEA Board of Directors.

I. Alerts the OEA President to potentially volatile issues within their 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 their 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. Pre-RA Meetings (PRAMs) shall be scheduled to take place no earlier than the day after OEA Representative Assembly delegate names are due and no later than the day before the first session of the OEA Representative Assembly.

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 they are 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 their 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 their 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. 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.

III. 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.

IV. 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.

V. 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.

VI. 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.

M. For the purposes of filling committee vacancies, the OEA President may appoint up to two interim positions from OEA-Retired members if requested by the committee chair.

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 one Senator and three Representatives from even-numbered districts, and one OEA-Retired CAT member will be assigned as liaison to one Senator and three Representatives from odd-numbered districts.
4. All appointments shall be made for a two-year term that coincides with the term of a U.S. Representative.

III. 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 2025): Districts 01a, 06, 08, 10b, 12, 15a, 17b, 19, 20a, 21, and 30a;

(Terms ending 2026): Districts 01b, 02, 03a, 09, 10c, 11, 13, 15b, 16, 24, 26a, 27, and 30b;

(Terms ending 2027): Districts 03b, 04, 05, 07a, 10a, 14a, 17a, 18, 20b, 26b.

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 EA, Butte Falls EA, District 6 EA, Eagle Point EA, Grants Pass ACE, Grants Pass EA, Medford EA, Phoenix Talent EA, Prospect EA, Rogue River ACE, Rogue River EA, Southern Oregon ESD EA, Three Rivers EA
District #2	Banks ACE, Banks EA, Forest Grove EA, Gaston EA, Hillsboro EA
District #3	Salem Keizer EA
District #4	Bethel ACE, Creswell EA, Crow-Applegate-Lorane EA, Fern Ridge EA, Junction City EA, Junction City ESP, Lane County ESD EA, Lowell EA, Marcola EA, Mckenzie EA, Oakridge TA, Pleasant Hill EA, South Lane EA, Springfield EA, Triangle Lake EA
District #5	Eugene EA

District #6	Association Of Reedsport Educators, Association Of Reedsport ESP, Bandon EA, Brookings-Harbor EA, Central Curry CEA, Central Curry EA, Coos Bay EA, Coquille EA, Mapleton ACE, Mapleton EA, Myrtle Point EA, North Bend EA, Port, Orford-Langlois TA, Powers EA, Siuslaw EA, South Coast ESD EA
District #7	Bend EA, Burns Hines EA, Condon EA, Crane TA, Crook County EA, Culver EA, Fossil Act, Frenchglen, High Desert EA, Madras EA, Mitchell ACE, Mitchell EA, North Central ESD EA, Redmond EA, Sisters EA, Spray ACE - NCBL, Spray EA
District #8	Adrian EA - NCBL, Annex EA, Baker EA, Cove EA, Dayville EA, Elgin EA, Enterprise EA, Imbler EA, John Day EA, Joseph EA, LaGrande EA, Long Creek ACE, Long Creek EA, Monument EA, Monument ESP, North Powder EA, Nyssa EA, Ontario EA, Pine Eagle EA, Prairie City EA, Union EA, Vale EA, Wallowa EA
District #9	Canby EA, Colton ACE, Colton EA, Estacada EA, Molalla River EA, Oregon City EA, West Linn-Wilsonville EA
District #10	Portland Association of Teachers
District #11	Alsea EA, Assoc. Perrydale Teachers, Central EA, Corvallis EA, Dallas EA, Falls City TA, Lincoln County EA, Monroe TA, Philomath EA
District #12	Arlington EA, Athena-Weston TA, Echo EA, Helix AE, Helix CE, Hermiston AT, Intermountain ESD, Ione EA, Milton-Freewater EA Morrow County EA, Pendleton AT, Pilot Rock EA, Sherman County EA, Stanfield EA, Umatilla EA
District #13	Astoria EA, Clatskanie EA, Jewell EA, Knappa #4 EA, Neah-Kah-Nie TA, Nestucca Area EA, Northwest EA, Rainier EA Scappoose EA, Seaside EA, St Helens EA, Tillamook EA, Vernonia EA, Warrenton EA
District #14	Centennial EA, Corbett ACE, Corbett EA, David Douglas EA, Gresham-Barlow EA, Parkrose FA, Reynolds EA
District #15	Beaverton and Beaverton Subs
District #16	Amity TA, Dayton EA, Gervais EA, Mt Angel TA, Sheridan EA, Silver Falls EA, St Paul EA, State Teachers EA, United North Marion Educators, Willamette Valley EA, Willamina EA, Woodburn EA, Yamhill Carlton TA
District #17	Cascade EA, Central Linn EA, Greater Albany ACE, Greater Albany EA, Harrisburg EA, Jefferson EA, Lebanon EA, Lebanon ESPA, Linn-Benton-Lincoln ESD EA, North Santiam EA, Santiam Canyon EA-ACE, Scio CTA, Sweet Home EA
District #18	Columbia Gorge ESD EA, District 21 EA, Hood River EA, Mosier TA, Multnomah ESD EA, North Wasco ESP, South Wasco ACE, South Wasco EA
District #19	Klamath County ACE, Klamath County EA, Klamath Falls ACE, Klamath Falls EA, Lakeview EA, North Lake EA, Paisley EA
District #20	Clackamas ESD EA, Clackamas ESD ESPA, Gladstone TA, North Clackamas EA, Wy'East EA
District #21	Camas Valley ACE, Camas Valley TA, Days Creek ACE, Days Creek EA, Douglas ESDA, Elkton EA, Glendale EA, Glide EA, North Douglas ACE, North Douglas EA, Oakland ACE, Oakland TA, Riddle ACE, Riddle EA, Roseburg EA, South Umpqua EA, Sutherlin EA, Winston-Dillard EA, Yoncalla ACE, Yoncalla EA
District #24	Association of Salem Keizer ESP
District #26	Lake Oswego EA, McMinnville EA, Newberg EA, Riverdale TA, Sherwood EA, Tigard-Tualatin EA
District #27	OEA-Retired
District #30	Blue Mt CC FA, Central Oregon CC Faculty Forum, Chemeketa CC CEA, Chemeketa CC FA, Clackamas CC ACE, Clackamas CC Associate Faculty, Clackamas CC EA, Classified Association of Central Oregon CC, Clatsop CC FA, Clatsop CC PT FA, Klamath CC ACE, Klamath CC FA, Lane CC EA, Linn Benton CC PT FA, Mt Hood CC CEA, Mt Hood CC FA, Mt Hood CC PT FA, Rogue CC EA, Treasure Valley CC EA, Umpqua CC ACE, Umpqua CC FA, Umpqua CC PT FA

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 they reside.

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 their 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 their 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, they 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 their 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 their 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 their representative shall have the right to appear at the hearing, present witnesses and other evidence on their 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 their 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 their 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 they consider 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 they have 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 their 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 their 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 they determine 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, they may, within thirty days of their receipt of the decision of the review board, file a notice of appeal with the Board of Directors, together with any written arguments that they 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

I. 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").

II. 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:

I. 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.

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

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

IV. 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.

V. 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.

VI. 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.

VII. 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 they were 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 their 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 their 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 their 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 their 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 their 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 their 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 they meet 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 ensure 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. 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 chapters Oregon Education Association

a. Where possible the local associations should invite the local Aspiring Educator OEA chapter 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 chapters.

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 traveling100 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 their 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.

1) All councils that do not have a physical space to meet in will receive by October 1 an annual allotment to support their meetings.

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 their 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 their 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 their 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 their designee may request a joint conference.

F. Normally, special assignments of a Consultant outside their 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 their 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 their 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 their 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 their work with individuals or locals.

4. The OEA Executive Director or their 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 their 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 their 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 their 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 experience in public education.

   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 their 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 their 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 their 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 they were 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, and 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.

   a. Members from other locals are eligible to receive relief funds for union leave and travel expenses in order to participate in and support strike actions.

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. ASPIRING EDUCATORS CHAPTERS

1. Membership shall be available to students enrolled in Oregon Colleges, Universities, and Community Colleges who are considering a career in public education and who comply with OEA Bylaw Article I Section 5.
2. A request for affiliation shall be submitted to the OEA President through the Oregon Education Association Aspiring Educator Council by the potential chapter in the form of a completed charter application form adopted by the OEA Board of Directors. Prior to submission to the OEA President, the OEA Aspiring Educator Council will review chapter constitutions and bylaws for compliance and work with chapters on updates prior to final submission to the OEA President. The OEA President shall inform the aspiring educator chapter of OEA's disposition of its application within 90 days of receipt of the application form.

III. 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

NEW BUSINESS ITEMS:

NBI 1

President Farrera recognized the maker of NBI 1, Lawrence Abrams, Portland AT, to speak to their motion. Greg Burrill, Portland AT, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 1 CARRIED.**

> "That the RA renew financial support to continue the ongoing work of the Charter School / Substitute Teacher Organizing Task Force and that additional support for data gathering and organizing be extended to the task force.
>
> For the coming year the task force will continue to meet and further existing work. Additionally, given the information deficits identified in regards to substitutes statewide, the task force will make additional efforts to rectify this lack of information."

NBI 2

President Enrique Farrera recognized the maker of NBI 2, Stephen Tokarski, Oregon City Education Association, to speak to their motion. Paul Sheprow, North Clackamas Education Association, second. Debate ensued.

> "That the OEA Representative Assembly will establish a Task Force on Election Transparency and Democratic Participation, open to any active OEA member in good standing who wishes to participate. The task force shall examine and develop specific proposed bylaw and policy language addressing...: (1) transparency of OEA election processes and results; (2) independence of OEA electoral and judicial oversight bodies from the executive; (3) direct member participation in officer elections; (4) rules around campaigning for elected positions (5) accountability mechanisms for elected officers; (6) proactive candidate recruitment and reduction of barriers to running for office; and (7) measures to increase member participation in OEA elections. The task force shall present its findings and recommendations for proposed bylaws and policy amendments to the OEA Board of Directors by the January Board Meeting."

MOTION: Michael Derhezmer, NCEA, and Alisha Chavez, Portland Association of Teachers, moved to close debate. **CARRIED.** President Enrique Farrera called the question. **NBI 2 FAILED.**

NBI 3

President Enrique Farrera recognized the maker of NBI 3, Niels Pasternak, Eugene Education Association, to speak to their motion. Angela Adzima, Hillsboro Education Association, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 3 CARRIED.**

> "Increasing Transparency and Public Engagement Around Oregon's Special Education Funding Cap
>
> OEA will provide public progress updates to members at least twice during the 2026–2027 year on efforts to increase Oregon's special education funding cap to 15 percent.
>
> OEA will support efforts to increase public understanding of the gap between current special education funding and actual student need, including the impact of the funding cap on students, educators, and school systems.
>
> OEA will explore and communicate potential pathways to sustainably fund an increase to the special education funding cap, including consideration of additional revenue options, and will share this information with members."

NBI 4

President Enrique Farrera recognized the maker of NBI 4, Asha Sandhu, Oregon City Education Association, to speak to their motion. Alex Stagner, Portland AT, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 4 CARRIED.**

> "I move OEA to support The Very Wealthy Pay Their Fair Share Act (Ballot Initiative 2026-070) by educating OEA members through two online forums during September."

NBI 5

President Enrique Farrera recognized the maker of NBI 5, Michelle Dunn, Eugene Education Association, to speak to their motion. Dave Wines, Eugene Education Association, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 5 CARRIED.**

> "The Oregon Education Association (OEA) will advocate for and collaborate with policymakers to convene a statewide Adapted Physical Education (APE) Guidance Task Force to revise and update Oregon's 1981 Adapted Physical Education guidance.
>
> The task force will include adapted physical education specialists, general physical educators, and special education professionals.
>
> The task force will publish updated statewide guidance suggestions
>
> by July 2027 that:
>
> 1. Clarifies Adapted Physical Education as a service, not a placement
>
> 2. Aligns terminology ("adapted" vs. "adaptive") with current law and best practice
>
> 3. Supports equitable access to physical education instructional minutes for students with disabilities
>
> 4. Defines the role of physical education professionals within IEP teams PreK-age 21 (IDEA)
>
> Promotes inclusive and legally compliant Adapted Physical Education service delivery models PreK-age 21 (IDEA)
>
> OEA will support, promote, and advocate for this work in collaboration with policymakers and relevant stakeholders."

NBI 6

President Enrique Farrera recognized the maker of NBI 6, Monica Weathersby, Centennial Education Association, to speak to their motion. Brian Zauber-Reed, ASK ESP, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 6 CARRIED.**

> "Creation of an ADA Statement to Enhance Accessibility
>
> I move that OEA undertake the development of a comprehensive Americans with Disabilities Act statement for our conferences. This statement can be informed by the best practices of affiliate unions across the nation as well as the National Education Association."

NBI 7

President Enrique Farrera recognized the maker of NBI 7, Lauren McCartney, Beaverton Education Association, to speak to their motion. Catherine Tucker, Portland Association or Teachers, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 7 CARRIED.**

> "I move that OEA will advocate for increased education funding in Oregon and stand in solidarity with sibling workers in South and Southeast Asia by endorsing and supporting the Just Sign It campaign coordinated by Global Labor Justice by adding the OEA logo and support promoting the campaign via social media and OEA communications. This campaign demands Nike reimburse the state of Oregon for its $2 billion tax break and is in solidarity with workers in South and Southeast Asia gaining collective bargaining rights."

NBI 8

President Enrique Farrera recognized the maker of NBI 8, Katie Lukins, Beaverton Education Association, to speak to their motion. Lora Dee, Beaverton Education Association, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 8 CARRIED.**

> "I move that OEA establish a taskforce to explore the development of a OEA-led teacher apprenticeship residency program specifically for Special Education. This taskforce will identify pathways for ESPs and other candidates to earn a SPED endorsement through a paid, mentor-supported model. The taskforce will report their findings back to the OEA board and Representative Assembly."

NBI 9

President Enrique Farrera recognized the maker of NBI 9, Todd Farris, Beaverton Education Association, to speak to their motion. Lauren McCartney, Beaverton Education Association, second. Debate ensued. Seeing no further debate, President Farrera called for a vote. **NBI 9 CARRIED.**

"That OEA establish a Universal Healthcare Task Force to advance member education, coalition-building, and advocacy in support of the Oregon Universal Health Plan.

The Task Force shall be charged with:

- collaborating with the OEA Board of Directors to develop OEA's position and strategy on the Oregon Universal Health Plan
- building coalitions with Oregon labor unions, community organizations, and healthcare advocates;
- taking a leadership role in coordinating OEA member participation in the 2026 Health Care for All Workers Rally (currently scheduled for October 17, 2026) and other mobilization efforts;
- working with OEA-Legislative Advisory Council and OEA-PAC to support strategies that advance universal healthcare;
- collaborating with local associations to gather member stories and data on healthcare costs and experiences to inform advocacy efforts.

The Task Force shall reflect the diversity of OEA's membership, including representation across licensed educators, education support professionals, and community college faculty, across geographic regions, and with intentional inclusion of members from communities most impacted by healthcare inequity.

Financial support shall be modest, consisting of staff liaison support and reasonable operating expenses. No funds are being requested."

NBI 10

President Enrique Farrera recognized the maker of NBI 10, Katrina Allen, Eugene Education Association, to speak to their motion. Dave Wines, Eugene Education Association, second. Debate ensued.

"The Oregon Education Association will establish a statewide taskforce composed of members to compile research and data surrounding the current funding shortfalls for K-12 music and arts education across our state.

The taskforce will work to provide the Oregon Education Association Legislative Advisory

Committee with the necessary data needed to put forth legislation mandating Music and Arts into the common core curriculum at the state level.

The objectives of the task force are to:

Review and research national examples of mandated arts education, such as the MAESTRO Act of 2025 (Mandating Arts Education Standards, Training, and Resources Overall) or the GAAME Act of 2026 (Guarantee Access to Arts and Music Education).

Develop collaborative relationships with organizations already involved in this advocacy work, such as the Oregon Music Educator's Association (OMEA).

Gather data from educators across Oregon regarding arts and music education programs and funding across our state.

Research states that have successfully implemented Music and Arts into mandated curriculum.

By or before the end of the year-long period allotted for this project, the taskforce shall draft their findings in a presentable format and transfer them to the OEA Legislative Advisory Committee for legislative action."

MOTION TO AMENDED NBI 10: To amend NBI 10 to strike "put forth" and replace with "support drafting." Moved by Katie Gillard, Beaverton, seconded by David Morrocco, Roseburg Education Association. Debate ensued. Seeing no further debate, President Farrera called for a vote. Amendment to NBI 10 **CARRIED.**

Debate resumed on NBI 10 as amended.

Seeing no further debate, President Farrera called for a vote. NBI 10 as amended **CARRIED.**

"The Oregon Education Association will establish a statewide taskforce composed of members to compile research and data surrounding the current funding shortfalls for K-12 music and arts education across our state.

The taskforce will work to provide the Oregon Education Association Legislative Advisory

Committee with the necessary data needed to ~~put forth~~ **support drafting** legislation mandating Music and Arts into the common core curriculum at the state level.

The objectives of the task force are to:

Review and research national examples of mandated arts education, such as the MAESTRO Act of 2025 (Mandating Arts Education Standards, Training, and Resources Overall) or the GAAME Act of 2026 (Guarantee Access to Arts and Music Education).

Develop collaborative relationships with organizations already involved in this advocacy work, such as the Oregon Music Educator's Association (OMEA).

Gather data from educators across Oregon regarding arts and music education programs and funding across our state.

Research states that have successfully implemented Music and Arts into mandated curriculum.

By or before the end of the year-long period allotted for this project, the taskforce shall draft their findings in a presentable format and transfer them to the OEA Legislative Advisory Committee for legislative action."

"NBI: Establishment of a Member Task Force that reviews existing data ~~that~~ **of** safety and behavioral needs currently facing schools in Oregon to advocate for clearer supports ~~and needs~~.

Motion: We move to establish a Member Task Force that reviews existing data that overviews staff and student injuries, discipline records, behavioral needs, threat and sexual incidence reports in schools. **The task force will review the data from a systemic perspective to see effective interventions and tools that were used to come up with recommendations to address safety for members and students**. ~~The OEA Executive Board will request the data listed from school districts in Oregon for the taskforce to review and analyze with the goal of advocating for students and OEA members. If the locals cannot provide this information, we move to request the collaboration from ODE to gather the data. This new information from districts~~ **The goal of the task force is to present key take aways** ~~to present~~ at the next Oregon Rep Assembly~~. and research regarding the increase~~ **to overview the rate of** in school behavioral incidences resulting in staff and student injury, member satisfaction with safety response, and increased data to show a comparison of the data on the effectiveness of more mental health support and personnel trained in trauma informed practices, as well as highlight gaps in other areas for supports with safety for all students.

After the task force has compiled information and reviewed data, then we will move to present our findings at next year's Representative Assembly to **share** ~~see the major impact areas are, the safety risks that have increased and~~ what steps helped improve safety and overall well being of students and staff, **and propose recommendations that for what how members bargain and advocate for improvement at our sites and locals**. Strategies that we will look for that have been implemented in the last 10 years are trauma informed care strategies in school, professional development and studying ACE's, supports like wellness centers, early behavioral support and intervention, quick behavioral intervention at the elementary level, and appropriate discipline and supports that are appropriate at each developmental level."

MOTION TO AMEND NBI 12 (AS AMENDED): To change the following language, "…propose recommendations ~~that~~ for ~~what~~ how members…" Motion by Samantha Minter, Beaverton EA, seconded by Michael Derheimer, North Clackamas EA, to amend NBI 12 (as amended). Debate resumed.

"NBI: Establishment of a Member Task Force that reviews existing data ~~that~~ **of** safety and behavioral needs currently facing schools in Oregon to advocate for clearer supports ~~and needs~~.

Motion: We move to establish a Member Task Force that reviews existing data that overviews staff and student injuries, discipline records, behavioral needs, threat and sexual incidence reports in schools. **The task force will review the data from a systemic perspective to see effective interventions and tools that were**

used to come up with recommendations to address safety for members and students. ~~The OEA Executive Board will request the data listed from school districts in Oregon for the taskforce to review and analyze with the goal of advocating for students and OEA members. If the locals cannot provide this information, we move to request the collaboration from ODE to gather the data. This new information from districts~~ **The goal of the task force is to present key take aways** ~~to present~~ at the next Oregon Rep Assembly~~. and research regarding the increase~~ **to overview the rate of** in school behavioral incidences resulting in staff and student injury, member satisfaction with safety response, and increased data to show a comparison of the data on the effectiveness of more mental health support and personnel trained in trauma informed practices, as well as highlight gaps in other areas for supports with safety for all students.

After the task force has compiled information and reviewed data, then we will move to present our findings at next year's Representative Assembly to **share** ~~see the major impact areas are, the safety risks that have increased and~~ what steps helped improve safety and overall well being of students and staff, **and propose recommendations ~~that~~ for ~~what~~ how members bargain and advocate for improvement at our sites and locals**. Strategies that we will look for that have been implemented in the last 10 years are trauma informed care strategies in school, professional development and studying ACE's, supports like wellness centers, early behavioral support and intervention, quick behavioral intervention at the elementary level, and appropriate discipline and supports that are appropriate at each developmental level."

Seeing no further debate, President Farrera called the question. MOTION to Amend NBI 12 (AS AMENDED) **CARRIED.**

Debate resumed on NBI 12 as amended.

Seeing no further debate, President Farrera called for a vote. NBI 12 as amended **CARRIED**.

NBI 11

President Enrique Farrera recognized the maker of NBI 11, Cheryl Johnson, Mt. Hood Faculty Association, to speak to their motion. John Hasegawa, Mt. Hood Faculty Association, second. Debate ensued.

"I move that OEA form a task force to study the impact of artificial intelligence (AI) on hiring practices, employee discipline, employee privacy, employee evaluation, transparency in workplace AI use, intellectual property protections, biases in large language models, and educator workload.

The task force shall report its findings and recommendations to the membership at the 2027 OEA Representative Assembly."

MOTION TO AMEND NBI 11: To add "energy use" to language. Moved by Bob Fonlham, Eugene EA, seconded by Jamie Myers, Eugene EA, to append the language.

"I move that OEA form a task force to study the impact of artificial intelligence (AI) on **energy use,** hiring practices, employee discipline, employee privacy, employee evaluation, transparency in workplace AI use, intellectual property protections, biases in large language models, and educator workload.

The task force shall report its findings and recommendations to the membership at the 2027 OEA Representative Assembly."

Debate ensued. Seeing no further debate, President Farrera called for a vote. **Amendment to NBI 11 FAILED.**

Debate resumed on NBI 11.

"I move that OEA form a task force to study the impact of artificial intelligence (AI) on hiring practices, employee discipline, employee privacy, employee evaluation, transparency in workplace AI use, intellectual property protections, biases in large language models, and educator workload.

The task force shall report its findings and recommendations to the membership at the 2027 OEA Representative Assembly."

Seeing no further debate, President Farrera called for a vote. NBI 11 **CARRIED.**

NBI 12

President Enrique Farrera recognized the maker of NBI 12, Samantha Minter, Beaverton EA, to speak to their motion. Michael Derheimer, North Clackamas EA, second. Debate ensued.

"NBI: Establishment of a Member Task Force that reviews existing data that safety and behavioral needs currently facing schools in Oregon to advocate for clearer supports and needs.

Motion: We move to establish a I Member Task Force that reviews existing data that overviews staff and student injuries, discipline records, behavioral needs, threat and sexual incidence reports in schools.

The OEA Executive Board will request the data listed from school districts in Oregon for the taskforce to review and analyze with the goal of advocating for students and OEA members. If the locals cannot provide this information, we move to request the collaboration from ODE to gather the data. This new information from districts to present at the next Oregon Rep Assembly. and research regarding the increase in school behavioral incidences resulting in staff and student injury, member satisfaction with safety response, and increased data to show a comparison of the data on the effectiveness of more mental health support and personnel trained in trauma informed practices, as well as highlight gaps in other areas for supports with safety for all students.

After the task force has compiled information and reviewed data, then we will move to present our findings at next year's Representative Assembly to see the major impact areas are, the safety risks that have increased and what steps helped improve safety and overall well being of students and staff. Strategies that we will look for that have been implemented in the last 10 years are trauma informed care strategies in school, professional development and studying ACE's, supports like wellness centers, early behavioral support and intervention, quick behavioral intervention at the elementary level, and appropriate discipline and supports that are appropriate at each developmental level."

MOTION TO AMEND NBI 12: To adjust the NBI language. Moved by Michael Derheimer, North Clackamas EA, and seconded by Samantha Minter, Beaverton EA, to amend the NBI language. Debate ensued. Seeing no further debate, President Farrera called for a vote. Amendment to NBI 12 **CARRIED.**

"NBI: Establishment of a Member Task Force that reviews existing data ~~that~~ **of** safety and behavioral needs currently facing schools in Oregon to advocate for clearer supports~~ and needs~~.

Motion: We move to establish a Member Task Force that reviews existing data that overviews staff and student injuries, discipline records, behavioral needs, threat and sexual incidence reports in schools. **The task force will review the data from a systemic perspective to see effective interventions and tools that were used to come up with recommendations to address safety for members and students**. ~~The OEA Executive Board will request the data listed from school districts in Oregon for the taskforce to review and analyze with the goal of advocating for students and OEA members. If the locals cannot provide this information, we move to request the collaboration from ODE to gather the data. This new information from districts~~ **The goal of the task force is to present key take aways** ~~to present~~ at the next Oregon Rep Assembly~~. and research regarding the increase~~ **to overview the rate of** in school behavioral incidences resulting in staff and student injury, member satisfaction with safety response, and increased data to show a comparison of the data on the effectiveness of more mental health support and personnel trained in trauma informed practices, as well as highlight gaps in other areas for supports with safety for all students.

After the task force has compiled information and reviewed data, then we will move to present our findings at next year's Representative Assembly to **share** ~~see the major impact areas are, the safety risks that have increased and~~ what steps helped improve safety and overall well being of students and staff, **and propose recommendations that for what how members bargain and advocate for improvement at our sites and locals**. Strategies that we will look for that have been implemented in the last 10 years are trauma informed care strategies in school, professional development and studying ACE's, supports like wellness centers, early behavioral support and intervention, quick behavioral intervention at the elementary level, and appropriate discipline and supports that are appropriate at each developmental level."

MOTION TO AMEND NBI 12 (AS AMENDED): To change the following language, "…propose recommendations ~~that~~ for ~~what~~ how members…" Motion by Samantha Minter, Beaverton EA, seconded by Michael Derheimer, to amend NBI 12 (as amended). Debate resumed.

The body allowed the postponement of NBI 12 until the afternoon session to allow for correct amended language to be submitted and typed for display for delegates.

NBI 13

President Enrique Farrera recognized the maker of NBI 13, Niels Pasternak, Eugene Education Association, to speak to their motion. Venus Reeve, Springfield Education Association, second. Debate ensued.

> "Elevating Public Perception of Educators Through Classroom-Based Storytelling
>
> OEA will strengthen public perception of public education and public educators by highlighting effective and innovative instructional practices occurring in Oregon classrooms.
>
> Beginning in the 2026–2027 year, OEA leadership will engage in classroom visits across diverse regions of the state in conjunction with existing activities to observe and amplify effective instructional practices.
>
> OEA will highlight these practices through statewide communications and will support the development and submission of educator-focused stories to local and state media outlets without paid media advertisements.
>
> These efforts will include representation across grade levels, geographic regions, and student populations, including special education settings and inclusive classrooms.
>
> OEA will report to members by August 2027 on implementation and impact."

Debate resumed.

MOTION: To refer NBI #13 to the Public Affairs or other appropriate committee as determined by the Board. Corey Hedger, Scappoose EA, moved with David Morrocco, Roseburg EA, as second. Debate ensued.

Seeing no further debate, President Farrera called for a vote. Motion to refer to committee **FAILED.**

Debate resumed for NBI 13.

MOTION: To close debate. Heidi Casper, Madras EA, moved with Joshua Fritz, Madras EA, as second. **CARRIED.**

President Farrera called the question. Motion for NBI 13 **FAILED**. Division vote was called. NBI 13 **FAILED.**

NBI 14

President Farrera recognized the maker of NBI 14, Joe Rowe, Portland Association of Teachers, to speak to their motion. Enrique Farrera, OEA President, second. Debate ensued.

> "OEA will create and maintain a running Google Doc or Microsoft One Drive document of the NBI items passed at the OEA RA. The link will be posted under the existing "Delegate Resources" section of the RA page on the OEA website This will start with NBI items passed in the April 2026 RA.
>
> Staff will note each item, and which items they consider one of these categories, and provide a progress narrative of 30 or more words. Categories are: Completed, Not yet underway, and underway.
>
> Staff who are assigned will be listed by name along with an extension. A completed date will be listed or a date of estimated completion will be listed. If this NBI is renewed in years that follow, the data from prior years will not be purged but rather moved lower in the document. Authors of each NBI will be given edit access, edit only their section assigned, and be given the option to add their own narrative of 30 or fewer words and one link."

MOTION TO AMEND: To strike company names. Janice Venture, Lincoln County EA, moved with Carisa Ketchen, Lincoln County EA, as second. Debate ensued.

> "OEA will create and maintain a running ~~Google Doc or Microsoft One Drive~~ document of the NBI items passed at the OEA RA. The link will be posted under the existing "Delegate Resources" section of the RA page on the OEA website This will start with NBI items passed in the April 2026 RA.
>
> Staff will note each item, and which items they consider one of these categories, and provide a progress narrative of 30 or more words. Categories are: Completed, Not yet underway, and underway.
>
> Staff who are assigned will be listed by name along with an extension. A completed date will be listed or a date of estimated completion will be listed. If this NBI is renewed in years that follow, the data from prior years will not be purged but rather moved lower in the document. Authors of each NBI will be given edit access, edit only their section assigned, and be given the option to add their own narrative of 30 or fewer

words and one link."

Seeing no further debate, President Farrera called for a vote. Motion to amend NBI 14 **CARRIED.**

Debate resumed on NBI 14 as amended.

MOTION TO AMEND: Add "…as well as the actual money spent on the NBI." Lauren McCartney, Beaverton, moved with Nicholas Bruns, Beaverton EA, as second. Debate ensued.

"OEA will create and maintain a running ~~Google Doc or Microsoft One Drive~~ document of the NBI items passed at the OEA RA. The link will be posted under the existing "Delegate Resources" section of the RA page on the OEA website This will start with NBI items passed in the April 2026 RA.

Staff will note each item, and which items they consider one of these categories, and provide a progress narrative of 30 or more words. Categories are: Completed, Not yet underway, and underway.

Staff who are assigned will be listed by name along with an extension**, as well as the actual money spent on the NBI**. A completed date will be listed or a date of estimated completion will be listed. If this NBI is renewed in years that follow, the data from prior years will not be purged but rather moved lower in the document. Authors of each NBI will be given edit access, edit only their section assigned, and be given the option to add their own narrative of 30 or fewer words and one link."

Seeing no further debate, President Farrera called for a vote. Motion to amend NBI 14 as Amended **CARRIED.**

Debate resumed on NBI 14 as amended.

MOTION TO AMEND: To strike "authors of each NBI will be given edit access, edit only their section..." Brooke Schilling, Medford EA, moved with Nicholas Rowan, Medford EA, as second. Debate ensued.

"OEA will create and maintain a running ~~Google Doc or Microsoft One Drive~~ document of the NBI items passed at the OEA RA. The link will be posted under the existing "Delegate Resources" section of the RA page on the OEA website This will start with NBI items passed in the April 2026 RA.

Staff will note each item, and which items they consider one of these categories, and provide a progress narrative of 30 or more words. Categories are: Completed, Not yet underway, and underway.

Staff who are assigned will be listed by name along with an extension**, as well as the actual money spent on the NBI**. A completed date will be listed or a date of estimated completion will be listed. If this NBI is renewed in years that follow, the data from prior years will not be purged but rather moved lower in the document. ~~Authors of each NBI will be given edit access, edit only their section assigned, and be given the option to add their own narrative of 30 or fewer words and one link.~~"

MOTION: To close debate. Kristin Wheeler, Ontario EA, moved with Sidranio Rangel, Ontario EA, as second. **CARRIED.**

President Farrera called the question. Motion to amend NBI 14 as Amended **CARRIED.**

Debate resumed on NBI 14 as amended.

MOTION: To forward NBI 14 to Bylaw & Policy Committee. Maddy Wilson, Aspiring Ed, moved with Gigi Whisler, Aspiring Ed, as second. Debate ensued.

MOTION: To close debate. Sidronio Rangel, Ontario EA, moved with Troy Soles, Canby EA, as second. **CARRIED.**

President Farrera called the question to move NBI 14 to committee. Vote result unclear. President Farrera called for a divisional vote. 217 yes, 242 no. Motion to move NBI 14 to committee **FAILED.**

Debate resumed on NBI 14 as amended.

MOTION: To close debate. Sidronio Rangel, Ontario EA, moved with Kristin Wheeler, Ontario EA, as second. **CARRIED.**

President Farrera called the question. NBI 14 as amended **FAILED.**

MOTION: To revote with ballots handed out on the RA floor for NEA Director. Toni Myers, Baker EA, moved, with Meghan Dixon, Union EA, as second. Debate ensued. **Motion withdrawn by maker.**

MOTION: To recount the NEA Director votes with one observer from each candidate. Toni Myers, Baker EA, moved, with Meghan Dixon, Union EA, as second. Debate ensued.

Seeing no further debate, President Farrera called for a vote. **FAILED.**

NBI 15

President Farrera recognized the maker of NBI 15, Venus (Alice) Reeve, Springfield Education Association, Niels Pasternak, Eugene EA, as second.

"Advocating for a Comprehensive 10 Year Plan for Oregon Public Education

OEA will advocate for the development and adoption of a comprehensive 10 year statewide education plan that addresses long term systemic challenges in Oregon public education and establishes clear, measurable goals for improvement.

OEA President, in coordination with OEA leadership and Government Relations staff, will initiate this effort no later than September 2026.

OEA will engage members, educators, and stakeholders during the 2026 to 2027 year to develop a draft framework that directly addresses the following critical challenges and corresponding goals

- The gap between special education funding and the actual percentage of students served, with the goal of achieving full alignment between funding and student need
- Limited access to consistent instructional time and learning opportunities, with the goal of increasing meaningful instructional time and student access to learning
- High rates of student absenteeism impacting engagement and outcomes, with the goal of improving student attendance, engagement, and connection to school
- Inconsistent implementation and support for inclusive and equitable practices, with the goal of ensuring schools have the resources, training, and accountability systems needed to implement inclusive and equitable practices effectively

OEA will present a draft framework of the proposed plan to members and share it with the Governor, legislature, and the public by August 2027.

OEA will provide at least one progress update to members during the 2026 to 2027 year."

MOTION TO AMEND: to add "Member Task Force..." by Venus (Alice) Reeve, Springfield Education Association, Niels Pasternak, as Second.

"Advocating for a Comprehensive 10 Year Plan for Oregon Public Education

OEA **Member Task Force** will advocate for the development and adoption of a comprehensive 10 year statewide education plan that addresses long term systemic challenges in Oregon public education and establishes clear, measurable goals for improvement.

OEA President, in coordination with OEA leadership and Government Relations staff, will initiate this effort no later than September 2026.

OEA **Member Task Force** will engage members, educators, and stakeholders during the 2026 to 2027 year to develop a draft framework that directly addresses the following critical challenges and corresponding goals

- The gap between special education funding and the actual percentage of students served, with the goal of achieving full alignment between funding and student need
- Limited access to consistent instructional time and learning opportunities, with the goal of increasing meaningful instructional time and student access to learning
- High rates of student absenteeism impacting engagement and outcomes, with the goal of improving student attendance, engagement, and connection to school

- Inconsistent implementation and support for inclusive and equitable practices, with the goal of ensuring schools have the resources, training, and accountability systems needed to implement inclusive and equitable practices effectively

OEA will present a draft framework of the proposed plan to members and **may** share it with **state leaders** ~~the Governor, legislature,~~ and the public by August 2027.

OEA will provide at least one progress update to members during the 2026 to 2027 year."

Debate ensued.

Seeing no further debate, President Farrera called for a vote. Motion to amend NBI 15 **CARRIED.**

Debate resumed on NBI 15 as amended.

Seeing no further debate, President Farrera called for a vote. NBI 15 as amended **CARRIED.**

NBI 16

President Enrique Farrera recognized the maker of NBI 16, Limor Geisler, Beaverton EA, second David Goldstein, Portland AT. Debate ensued.

"I move that the Oregon Education Association, through the Board of Directors and appropriate OEA staff shall, by December 1, 2026, develop, adopt, and distribute guidance to OEA leaders, staff, and local associations affirming OEA's commitment to inclusive engagement and establishing that identity-based civil rights organizations representing ethnic, racial, or religious communities shall not be targeted, singled out, attacked, excluded, or isolated in OEA or local association actions or communications."

MOTION TO AMEND: To add "Identity-based civil rights…." Moved by Zachary Melzer, Parkrose Faculty Association, with second Amanda Kassab, Centennial. Debate ensued.

"I move that the Oregon Education Association, through the Board of Directors and appropriate OEA staff shall, by December 1, 2026, develop, adopt, and distribute guidance to OEA leaders, staff, and local associations affirming OEA's commitment to inclusive engagement and establishing that identity-based civil rights organizations representing ethnic, racial, or religious communities shall not be targeted, singled out, attacked, excluded, or isolated in OEA or local association actions or communications.

Identity-based civil rights organizations who engage, promote the vilification of other groups on the basis of ethnic, racial, or religious grounds will not be afforded the same protections and OEA and local associations should be free to call out clear and calculated civil rights abuses from said organizations."

Seeing no further debate, President Farrera called for a vote. Motion to amend NBI 16 **CARRIED.**

Debate resumed on NBI 16 as amended.

MOTION TO AMEND: To insert language "political." Stacy Shown, La Grande EA, moved, with second by Kim Dowell, La Grande EA. Debate ensued.

"I move that the Oregon Education Association, through the Board of Directors and appropriate OEA staff shall, by December 1, 2026, develop, adopt, and distribute guidance to OEA leaders, staff, and local associations affirming OEA's commitment to inclusive engagement and establishing that identity-based civil rights organizations representing ethnic, **political**, racial, or religious communities shall not be targeted, singled out, attacked, excluded, or isolated in OEA or local association actions or communications.

Identity-based civil rights organizations who engage, promote the vilification of other groups on the basis of ethnic, racial, or religious grounds will not be afforded the same protections and OEA and local associations should be free to call out clear and calculated civil rights abuses from said organizations."

Seeing no further debate, President Farrera called for a vote. Motion to amend NBI 16 **FAILED.**

Debate resumed on NBI 16.

MOTION: That NBI 16 be referred to the Human and Civil Rights Committee and the Committee on Racial Equity jointly. Martin Kwon, North Clackamas EA, moved with a second by John Hasegawa, Mt. Hood Faculty Association. Debate ensued.

Seeing no further debate, President Farrera called for a vote. Motion to move NBI 16 to committee **CARRIED**.

NBI 17

Per the 2026 OEA RA Operating Procedures, NBI 17 was referred to the Executive Committee for review.

End of New Business Items

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
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		

---OR---

C. Signature of OEA Executive Director:

_____

In accordance with NEA's use of guiding documents, a policy statement may include expressions of opinion, intent, or belief. Policy statements are different from resolutions in that they explore issues in greater depth, while resolutions are intended to set forth general concepts on the Association's beliefs and positions. Additionally, policy statements may be action-oriented, and may also indicate support for or opposition to federal or state legislation. For reference, see this link for information about NEA's Policy Statements: https://tinyurl.com/2kb6a2bv

Introduction

Public charter schools in Oregon have been promoted since 1999 as an avenue for parents, educators, and community members to take responsible risks to create new, innovative, and flexible ways of educating students. The purpose of this policy statement is to declare OEA's support for organizing charter schools and other educational workers in institutions that use public dollars.

The Oregon Education Association (OEA) stands for our students wherever they are educated and supports communities organizing for quality public education. In addition, OEA champions educational workers' in their collective efforts to improve teaching and learning conditions for all Oregon students in learning environments supported with public funds.

OEA stands in opposition to large charter management organizations (CMOs) or other for-profit labor brokerage corporations which divert public funds from local budgets and negatively impact the education workforce. Instead, charter schools should be held accountable by local stakeholders and democratically elected school boards (or other boards accountable to the public.*)*

OEA believes that all educators deserve the right to a collective voice and representation, and that an organized education workforce is the best champion for quality standards for students and educators alike. OEA seeks to organize charter school educators and other educational workers in order to attain more equitable learning conditions for all Oregon students, as well as to improve representational and collective power for educators united by OEA.

OEA's Vision For Quality Public Education for All

The vision of OEA is to improve the future of all Oregonians through quality public education. As champions for quality public education we have a responsibility to help students and educational workers in all settings in which public funds are being spent. Organizing employees of charter schools and other education organizations funded with public dollars ensures high standards for effective oversight to maintain students' access to free, accessible, non-sectarian, quality education.

Charter schools best serve students and the public interest when they are authorized and held accountable by democratically elected local entities. For consistency in communities, it should be the same entity that authorizes other alternative school models in the public school district such as magnet, community, educator-led, or other specialized schools. Such charters should be authorized only if they meet the following standards of local control and democracy, professionalism, accountability, transparency, and equity.

Local Control and Democracy

OEA believes that a charter school must be rooted in a locally initiated effort to meet a need in the educational community that is not being met within the existing public school system. Charter schools should be nonprofit, pedagogically innovative, student-need centered, and community oriented. Authorizing bodies, or "sponsors", must develop plans and priorities with input from all stakeholders, including parents, students, educators and community members.

School boards accountable to the public are best equipped to make decisions regarding education programs in their jurisdiction. Only locally elected school boards or the State Board of Education should sponsor charter schools. Authorization or expansion of charter schools should be done only after an assessment of the impact of the proposed charter school on local public school resources, programs, and services, including the district's operating and capital expenses, facility availability, the likelihood that the charter will prompt cutbacks or closures in local public schools, and consideration of whether other changes in educational programs or school management (ranging from reduced class sizes to community or magnet schools) would better serve a district's needs.

Authorizing sponsors must also consider the impact of the charter on the racial, ethnic, and socio-economic composition of schools and neighborhoods, as well as on equitable access to quality services for all district students, including students with special needs and English language learners. The impact analysis should be independent, developed with community input, and be written and publicly available.

Collective Action and Professionalism

Educators using their collective organized voice are the best champions for improvements to and maintenance of quality teaching and learning conditions for students and educators.

OEA believes that charter school educators must be highly qualified or otherwise specifically trained, accredited, and well-suited to teach in their specialty area. All administrators of the school should be licensed to administer by the Teacher Standards and Practices Commission (TSPC). Teachers who are licensed to teach by the TSPC should provide the instruction for at least 95 percent of the school's instructional hours.

Charter school educators should be afforded the same protections and privileges as employees of the sponsoring school district, including a plan for placement at another work site should the charter not be renewed.

Accountability and Transparency

OEA believes that charter schools must comply with all state accountability requirements. Additionally, charter schools must comply with laws promoting transparency and accountability to parents and the public in the operation of public schools and expenditure of public funds, including an ability to demonstrate financial stability and a sound financial management system.

Charter schools should demonstrate sustainable support for the charter school by teachers, parents, students and other community members at publicly held hearings.

Equity And Student Access

All children in Oregon are entitled to equal access to all public education opportunities, including charter schools. OEA believes that charter schools should provide equitable and non-discriminatory access to promotional information, application forms, and selection for admission. Charters should demonstrate the capability to provide comprehensive instructional programs to students that are identified as low achieving. A plan for the standards for behavior and the procedures for the discipline, suspension or expulsion of students must be outlined and equitable. All discipline policies, especially as relates to suspension and expulsion of pupils, must comply with Oregon law.

No charter school should discriminate against a student, whether in application, admission, instructional, or disciplinary practices, because of race, language, color, national origin, religion, gender/gender identification, sexual orientation, disability, marital, economic or immigration status, educational need, academic performance, or any other form of preferential selection.

Facilities

OEA believes that educational employees are entitled to work in safe, sanitary, and healthy environments. Public school buildings must meet all Occupational Safety and Health Administration (OSHA) requirements, modern earthquake standards and have adequate light, heat/air conditioning, and ventilation. Funding of charter school facilities should not negatively impact the education programs of the school district in which the charter school is located, including decreasing funding for maintenance of existing schools. OEA opposes using public funds to build or buy facilities for charter schools in neighborhoods that have no need for additional classroom space or which offer no improvement over the facilities already available.

Eliminating Profit Motives in Public Education

Charter schools should be hubs for innovation as identified by stakeholders including parents, students and educators. Charter management organizations (CMOs) or other for-profit labor brokerage companies, located far from school communities and with limited local oversight and accountability to the community they are meant to serve, are not the best models for improving learning across all educational settings in Oregon.

If charter schools contract with a for-profit entity to provide educational services, the for-profit entity should not be the employer of the employees.

OEA believes that the approval of and operation of charter schools must be free of conflicts of interest and profiteering. Charter school board members and their immediate families must not benefit financially from their schools. Public schools' conflict of interest laws and disclosure regulations should apply to charter schools that receive public funds.