

## **Report of the Ad Hoc Committee on Board Structure to the 2015 NSEA Delegate Assembly**

**By John Heineman, NEA Director, Lincoln Education Association, Chair**

The general officers of the NSEA are the president, vice president, and both NEA Directors. NSEA Bylaws stipulate that all general officers are voting members of the NSEA Board of Directors. One of the general principles of a democratic organization is that leaders who have voting rights that can determine the direction of an organization are elected by representatives of every part of the organization to help assure that the leaders are representative of all membership groups within that organization. While the NSEA president and vice president are elected by an every-delegate ballot at Delegate Assembly, the NEA directors are only elected by the active-member delegates to Delegate Assembly. That means that both the Student and Retired members are denied the opportunity to vote for two of the general officers of the Association – the two NEA directors.

The 2014 Delegate Assembly passed New Business Item 2014-9, which reads:

**NBI 2014-9:** NSEA shall create an Ad Hoc Committee on Board Structure to examine board structures that would allow all delegates to Delegate Assembly to vote for all general officers of the association. The Committee shall include representatives of all membership categories of NSEA. A recommendation for a board structure that would allow all delegates to Delegate Assembly to vote for all general officers of the association as well as any changes in Bylaws that would be needed to implement any proposed change shall be presented to the 2015 Delegate Assembly for consideration and action.

The Ad Hoc Committee on Board Structure met three times to develop recommendations for the 2015 Delegate Assembly to consider. Two meetings were face-to-face, and one meeting was done by webinar. The committee further divided into two subcommittees, and some of the committee work was done by email.

NEA guidelines stipulate that at least one NEA director must have voting rights on the state association board of directors. States with many NEA Directors (like California) designate that only one NEA director has a vote on the state board of directors, and that NEA director is not a general officer of the state association. In cases where there are multiple NEA directors, it is usually the “senior NEA director” (the longest-serving NEA director for that state) that has voting rights on the state board of directors. Many states have as general officers a president, vice president, and secretary-treasurer; in those states the NEA directors may serve as board members, but not as general officers.

Current NSEA Bylaws stipulate that the NEA directors are to be elected at the annual NSEA Delegate Assembly. With the background information described above in mind, the Committee developed five alternative ways that would assure that all membership groups within NSEA would have a voice on the NSEA Board of Directors, either by

changing the way that the general officers are elected or by giving all membership categories voting rights on the NSEA board. The alternatives that were considered were:

- Allow only one NEA director to have voting rights, and designate the senior NEA director as that voting member;
- Have a two-ballot election for the NEA director, with only the active-member delegates of NSEA electing the NEA directors and all delegates determining whether or not the junior NEA director would have voting rights;
- Keep both NEA directors as general officers and grant voting rights for both the retired and student representatives on the NSEA board;
- Some combination of these alternatives ; or
- Maintain the status quo.

The “senior NEA director” would be the NEA director with longest service as an NEA director from Nebraska. If the Bylaw amendment that changes the way the general officers of NSEA are elected is approved by Delegate Assembly, a formal definition of “senior NEA director” would be placed in NSEA Board Policy.

The Committee determined that the most acceptable of these alternatives was the “two-ballot” alternative. Under this alternative, active members would have a two-part ballot: (a) the first part would be to vote for a specific candidate for NEA Director; (b) the second part would be to vote to give the junior NEA director the right to be a voting member of the NSEA Board. Student and Retired members would have a one-part ballot: to give the junior NEA director the right to be a voting member of the NSEA board. In order for the junior NEA director to have voting rights on the NSEA board, a majority of the ballots cast from all membership categories pertaining to voting rights would have to be in the affirmative. Bylaws language that would implement this two-ballot voting procedure was submitted for consideration by delegates at the 2015 Delegate Assembly. If the amendment is adopted, ballots for NEA director might have this wording:

<p><b>Ballot for active members:</b></p> <p>Vote for ONE (1) candidate for NEA Director.</p> <p>____ Jane Doe ____ John Doe</p> <p>Shall the junior NEA Director have voting rights on the NSEA Board of Directors for the term of office?</p> <p>____ Yes ____ No</p>
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<p><b>Ballot for student and retired members:</b></p> <p>Shall the junior NEA Director have voting rights on the NSEA Board of Directors for the term of office?</p> <p>____ Yes ____ No</p>
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This change in NSEA Bylaws will assure that one of the fundamental principles of a democratic organization is preserved. That principle is that the leaders are elected by representatives of every membership category.

A number of questions about the proposed Bylaws change for the “two-ballot” election procedure were addressed in the Committee work. A representative sample of those “frequently asked questions” is summarized below.

### **Frequently Asked Questions (FAQs) about the Bylaws change**

#### **Why is this change necessary?**

The way we conduct elections at DA should not be in conflict with what the Bylaws stipulate. The current Bylaws do not indicate that only some of the delegates at Delegate Assembly have the right to vote for the NEA directors. The Bylaws should spell out the actual practice for elections, and the current Bylaw language does not reflect the current practice used to elect the NEA directors. This change would align the Bylaws with the actual practice for electing NEA directors.

#### **Why is it important for general officers to be elected by all membership categories?**

The right to vote for your elected leaders is a fundamental principle of a democratic organization. This Bylaw amendment re-establishes the right of all membership categories to vote for those who govern them.

#### **Student and retired members elect their own NEA directors at their annual meetings. Why should they vote for the active-member NEA director, too?**

In Nebraska, the NEA director is both the NEA director *and* a general officer of the Association. That is not true for many states. General officers of the Association should be elected by representatives of all membership categories. The proposed change would allow only active-member delegates to elect the NEA director. Since it provides that all membership categories would determine if the junior NEA director would also serve as a general officer with voting rights, it re-establishes the past practice of having all general officers of NSEA elected by representatives of the entire membership. The proposed Bylaws change is in agreement with the requirement that the NEA director for active members be elected only by the active members of NSEA, and it allows all membership groups of NSEA to determine whether or not the junior NEA director will also serve as a voting member of the NSEA Board.

#### **What happens if the delegates vote to deny voting rights to the junior NEA director?**

NEA guidelines stipulate that at least one NEA director must be a voting member of the NSEA Board of Directors. If delegates vote to deny voting rights to the junior NEA director, the senior NEA director would retain voting rights, and the junior NEA director would be an ex-officio, non-voting member of the Board.

#### **How do you determine who is the “senior NEA director” and who is the “junior NEA director?”**

The senior NEA director is the NEA director who has the longest service as a Nebraska NEA director. Since Nebraska has two NEA directors, the other NEA director would be the “junior NEA director.” If both Nebraska NEA directors are elected for their first term at the same delegate Assembly, the senior NEA director is the one who is elected first. If this Bylaw amendment is adopted, a formal definition of “senior NEA director” will be placed in NSEA Board Policy.

**Why are only the “junior NEA director’s” voting rights affected? Shouldn’t delegates be able to grant or deny voting rights to a specific individual?**

The concept behind this Bylaw amendment is simple: shall all of the NSEA membership categories be allowed to determine who has voting rights on the NSEA board – voting rights that ultimately determine the direction of the association? This bylaw amendment is not about “which individual” you grant voting rights to, it is about giving all membership categories a voice in determining who will be the general officers of the association.

**When would this new election procedure be effective? This year, or next year?**

The Bylaw would not govern elections until it has been passed by DA. That means that if this Bylaw amendment passes this year, it would be effective for elections held in 2016 and beyond.

In the process of its deliberations, the Committee also considered various options that would change the governance model for NSEA. Since a change in governance models was beyond the scope of work for this committee, a subcommittee was created and charged with drafting a New Business Item for consideration at the 2015 Delegate Assembly. The New Business Item, if passed by Delegate Assembly, would cause a committee to be created to examine the governance structure of the NSEA Board of Directors as well as the governance of all of the various NSEA districts and committees. A New Business Item that would create that committee was submitted for consideration at the 2015 Delegate Assembly.