



NSEA POLICIES

UPDATED: September 13, 2022

member cannot serve, a replacement may be selected from the delegates at the Delegate Assembly. (BD 9/86)

18. Resolutions Committee

The chairperson of the Resolutions Committee will be appointed, with Board approval, to serve a three (3) -year term. The members will be appointed, with Board approval, by February first (1st) of each year preceding the Delegate Assembly at which they will serve. If for any reason an appointed committee member cannot serve, a replacement may be selected from the delegates at the Delegate Assembly. Nevada's representative to the NEA Resolutions Committee shall be an ex-officio member of the NSEA Resolutions Committee. (BD 9/86)

19. Membership Committee—See Section II, K, 1.

20. Awards Committee—See Section II, N, 1.

I. NSEA LOCAL AFFILIATES

ASSOCIATION

1. All NSEA local affiliates shall now be in compliance with the affiliation requirements of NSEA and NEA. It shall be the recognized right of any NSEA member to challenge for just cause, the status of compliance of any particular local association. Upon written receipt of such challenge, NSEA shall make timely investigations of the validity of the challenge and shall also make good faith effort to resolve and substantiate complaints. (DA 5/80)
2. The affiliates of NSEA shall take all reasonable steps to assure that their elective and appointive bodies shall have ethnic-minority membership at least proportionate to the ethnic-minority membership of the affiliate. (DA 5/80)
3. Trusteeship of Local Affiliate
 - a. The Bylaws of NSEA provide that its Board of Directors may enact policies allowing for imposition of a trusteeship upon a local affiliate in order to correct corruption or financial malpractice and/or restore democratic processes. The NSEA Board of Directors hereby enacts this trusteeship policy. The trusteeship process will proceed as follows: (BOD 12/21)

After conferring with the NSEA Executive Committee, NSEA's President may appoint one or more Trustees to assume full control and responsibility for the affairs of an NSEA local affiliate, which includes, but is not limited to, taking possession of the funds, accounts receivable, accounts payable, books, ledgers, check books, check registers, credit cards, debit cards, records, records of election, legal compliance documents, bylaws, policies, membership lists, papers, other documents, whether hard copy or electronic, computers, notebooks, laptops, mobile phones and other property of the local affiliate, NSEA or NEA. The trustee(s) so appointed may serve with or without compensation, as determined by NSEA's President. The expense of

compensation for the trustee(s) will be borne by the local affiliate, unless the NSEA Board of Directors or Delegate Assembly dissolve the trusteeship, in which case NSEA will be responsible for the cost of trustee(s) compensation. The trustee(s) shall have the right to request the assistance of NSEA or the NEA to carry out the purposes of the trusteeship. (BOD 12/21, 08/22)

- b. Upon imposition of a trusteeship of an NSEA local affiliate, NSEA's President will notify the officers, directors and members of the local affiliate of the trusteeship and that NSEA's President will convene a special meeting of the NSEA Board of Directors, which will be a hearing regarding the newly imposed trusteeship. At the hearing, the officers, directors and members of the local affiliate may appear and speak in favor of or in opposition against continuation of the trusteeship. Although entitled to be present and speak at the meeting, the NSEA President is not entitled to vote on the question of continuation or dissolution of the trusteeship. Before the hearing portion of the special meeting begins, the remaining members of the Board of Directors, including the Executive Committee will appoint an individual to preside over the hearing. (BOD 12/21, 08/22)

- c. Unless NSEA's President and the local affiliate mutually agree otherwise, the special meeting of and trusteeship hearing before the NSEA Board of Directors must be held within thirty (30) days of the local affiliate receiving notice of imposition of a trusteeship. The hearing will commence with the NSEA President, or designee thereof, stating: (BOD 12/21)
 - i. the reason(s) for the imposition of the trusteeship;
 - ii. the recommended duration of the Trusteeship, which may not exceed eighteen (18) months; and,
 - iii. the President's recommended plan and procedure by which autonomy may be restored to the local and the trusteeship dissolved. (BOD 12/21)

- d. Both NSEA's President, or designee, and the local affiliate will each be allotted two (2) hours total for presentation of their cases. Each may call witnesses during the hearing, who will be subject to cross-examination, and may submit other evidence to the NSEA Board. The technical rules of evidence will not apply at the hearing, but in its deliberations, the Board will determine the reliability of the evidence presented and what weight it should be given. Neither NSEA's President, or designee thereof, nor the local affiliate are allowed representation by counsel at the hearing. (BOD 12/21)

- e. A decision of the NSEA Board to continue a trusteeship is valid only if a majority of the Board, present and voting, finds there is substantial evidence that NSEA's President has established one or more grounds for a trusteeship. The decision of the NSEA Board of Directors is final and binding on NSEA's President. (BOD 12/21, 08/22)

- f. Within seven (7) days of an NSEA Board hearing regarding a trusteeship, the NSEA local affiliate will be notified in writing of the decision of the NSEA Board to

continue or discontinue a trusteeship. If the decision of the NSEA Board is to continue a trusteeship, the written notice to the local affiliate will also: (BOD 12/21)

- i. include a copy of this Section of NSEA Policies;
 - ii. advise the local affiliate of the necessary process to perfect its appeal; and,
 - iii. when applicable, instruct the local affiliate to indicate whether it is opting for a written appeal to Delegate Assembly or an in-person appeal hearing at the next, regularly scheduled, annual meeting of Delegate Assembly.
- g. At every regularly scheduled meeting of the NSEA Board of Directors, NSEA's President, or designee, will report to the Board on the status of the trusteeship. The trusteeship status report will include an accounting of the money received and expended on behalf of the local affiliate, and the purpose of any such expenditures will also be provided. In the event, that no money is received or expended on behalf of the local affiliate during a given period of time, an accounting is not required. The local affiliate will be provided with a copy of the accounting, if such accounting is required to be presented to the Board. (BOD 12/21, 8/22)
- h. If NSEA's President concludes at any time that the objectives of the trusteeship have been sufficiently accomplished and that the local affiliate is capable of operating autonomously in a democratic, fiscally prudent manner, the President may make a recommendation to the NSEA Board of Directors to dissolve the trusteeship at any regularly scheduled or special meeting of the NSEA Board of Directors. (BOD 12/21)
- i. An NSEA local affiliate may appeal a decision of the NSEA Board of Directors continuing a trusteeship to NSEA's Delegate Assembly. In order to perfect such an appeal, the appeal must be filed with NSEA's President and Director of Operations within thirty (30) days of the NSEA Board's decision, and the local affiliate must provide documentation of a properly noticed membership vote, conducted under the supervision of the trustee(s), that a majority of the membership voting voted in favor of such an appeal. (BOD 12/21)
- j. If an NSEA local affiliate files an appeal of an NSEA Board of Directors' decision continuing a trusteeship, and such appeal is filed within the sixty (60) days preceding the regularly scheduled, annual meeting of NSEA's Delegate Assembly, the appeal hearing will be conducted during the meeting of the Delegate Assembly. At the appeal hearing, the local affiliate will be afforded up to thirty (30) minutes total to present its argument for discontinuation of the trusteeship, and the NSEA President, or designee, will be afforded up to thirty (30) minutes total to present an argument in favor of continuation of the trusteeship. Neither party to the appeal may be represented by counsel at the meeting of the Delegate Assembly, nor may they call witnesses or introduce new evidence. The parties to the appeal and members of the Delegate Assembly are confined to consideration of evidence introduced into the record at the hearing

before the NSEA Board of Directors. Any newly introduced evidence must be disregarded by members of the Delegate Assembly. Neither NSEA's President, nor the trustee(s), if the trustee(s) are members of the Delegate Assembly are entitled to vote on the appeal. Affirmation or reversal of an NSEA Board of Directors' decision to continue a trusteeship will be determined by a majority of the members of Delegate Assembly present and voting. (BOD 12/21, 8/22)

- k. If an NSEA local affiliate files an appeal of an NSEA Board decision continuing a trusteeship, and such appeal is filed more than sixty (60) days prior to the regularly scheduled, annual meeting of NSEA's Delegate Assembly, the local affiliate will be afforded the option of presenting its appeal during the next, regularly scheduled, annual meeting of the Delegate Assembly, which will proceed as set forth in subsection 3(j) above, or filing a written appeal to NSEA's Delegate Assembly. The process for a written appeal to the NSEA Delegate Assembly will proceed as follows: (BOD 12/21)

- l. Within seven (7) days receipt of a local affiliate's appeal of a decision of the NSEA Board of Directors continuing a trusteeship, NSEA's President will notify members of the Delegate Assembly of the imposition of the trusteeship, the decision of the NSEA Board of Directors continuing the imposition of the trusteeship and the local affiliate's appeal. The local affiliate and NSEA's Director of Operations will receive a copy of said notice. (BOD 12/21)

- m. No later than thirty (30) days after notice of the local affiliate appeal is provided to members of the Delegate Assembly, both the President and the local affiliate must deliver to NSEA's Director of Operations their written appeal statement indicating why the decision of NSEA's Board of Directors should be reversed or sustained. Upon timely receipt of both parties appeal statements, NSEA's Director of Operations will arrange for the prompt delivery of the parties' appeal statements to members of the Delegate Assembly and to the other party. Neither party may introduce any new evidence in their appeal statements; any such new evidence will be disregarded by members of the Delegate Assembly. If the local affiliate fails to timely submit an appeal statement, the decision of NSEA's Board of Directors shall be deemed as sustained on appeal, and the trusteeship will continue. If NSEA's President, or designee, fails to timely submit an appeal statement, the decision of NSEA's Board of Directors will be deemed reversed, and the trusteeship shall be dissolved. (BOD 12/21)

- n. No later than fifteen (15) days after receiving the other party's appeal statement, NSEA's President or the local affiliate may, but are not required, to submit to NSEA's Director of Operations a written rebuttal to the other party's appeal statement. Such written rebuttals must be confined to addressing arguments in the other party's appeal statement and must not raise any new arguments. Any new arguments raised by either party in their written rebuttals will be disregarded by the members of the Delegate Assembly. (BOD 12/21)

- o. Upon expiration of the fifteen (15)-day rebuttal period, NSEA's Director of Operations will arrange for the prompt delivery of any written rebuttal, a secret

ballot and voting instructions to the NSEA Delegate Assembly. Any (1) written rebuttal and (2) the secret ballot and voting instructions will be in separate envelopes. (BOD 12/21)

- p. The secret ballot will contain two choices: (1) Sustain the Decision of the NSEA Board of Directors and continue the trusteeship; or, (2) Reverse the Decision of the NSEA Board of Directors and dissolve the trusteeship. The voting instructions will advise members of the Delegate Assembly that within fifteen (15) days of receipt, they must clearly mark one of the two choices on the original secret ballot provided and return the ballot to NSEA's Director of Operations in the two envelopes provided in the manner set forth in the voting instructions. The voting instructions will further advise that any blank, ambiguous or untimely ballots will not be counted. (BOD 12/21)

- q. A triple-envelope system will be utilized for Delegate Assembly voting:
 - 1. An envelope addressed and mailed to each member of the Delegate Assembly containing a ballot, a "Ballot Secrecy Envelope," a "Ballot Return Envelope" and voting instructions.
 - 2. The Ballot Secrecy Envelope will be labeled as such and will otherwise neither contain nor display any information that would identify the individual member of the Delegate Assembly casting the ballot. (BOD 12/21)
 - 3. The Ballot Return Envelope will be pre-addressed for return to NSEA's Director of Operations with sufficient postage for such return. The Ballot Return Envelope will be large enough and with sufficient postage to accommodate the Ballot Secrecy Envelope and ballot of the member of Delegate Assembly. (BOD 12/21)
 - 4. The voting instructions will instruct the members of Delegate Assembly to: clearly mark only one (1) choice on the ballot; insert the completed ballot into the Ballot Secrecy Envelope; insert the Ballot Secrecy Envelope containing the completed ballot into the Ballot Return Envelope; and, promptly deposit the Ballot Return Envelope for mailing. (BOD 12/21)
 - ii. NSEA's clerical staff will be instructed NOT TO OPEN the Ballot Return Envelopes and to instead deliver them directly to NSEA's Director of Operations, who will also NOT OPEN the Ballot Return Envelopes. NSEA's Director of Operations will: note on a list showing all of the members of Delegate Assembly, excluding NSEA's President, Executive Committee and its Board of Directors, that the ballot return envelope was received in the mail

and the date of receipt (“Voting Delegates List”); and, maintain the Voting Delegates List and the Ballot Return Envelopes in a secure manner until the appointed time for counting the ballots. (BOD 12/21)

iii. Ballots will be counted in the following manner:

1. NSEA’s President will provide the local affiliate with written notice of the time and place for counting the ballots cast by members of the Delegate Assembly eligible to vote. Unless mutually agreed otherwise, in writing, by NSEA’s President and the local affiliate, the counting of ballots will take place at the time and place designated by NSEA’s President. (BOD 12/21)
2. NSEA’s Director of Operations will transport the Ballot Return Envelopes and the original and two copies of the Voting Delegates List to the agreed upon place for the counting of ballots at the agreed upon time. (BOD 12/21)
3. The local affiliate and NSEA’s President may each have up to three individuals present to observe the opening and counting of the ballots. Unless the parties mutually agree otherwise, all such individuals must be present at the appointed place and time or the count will proceed without them. (BOD 12/21)
4. At the appointed place and time, NSEA’s Director of Operations will:
 - a. Provide NSEA’s President, or designee, and the local affiliate each with a copy of the Voting Delegates List.
5. Open the Ballot Return Envelopes, one at a time. After opening a Ballot Return Envelope, NSEA’s Director of Operations will note that fact on the Voting Delegates List, remove the Ballot Secrecy Envelope from the Ballot Return Envelope, place the Ballot Secrecy Envelope, unopened, in a box designated for that purpose and place the opened Ballot Return Envelope in a different box designated for that purpose. NSEA’s Director of Operations repeats this process until all of the Ballot Return Envelopes that were timely received have been opened. (BOD 12/21)
6. After all of the Ballot Return Envelopes have been opened in the manner set forth above, the Director of Operations will open

each Ballot Secrecy Envelope, one at a time, set the opened envelope aside in a box designated for that purpose, examine the ballot contained therein and note on a tally sheet whether the ballot was: to affirm the decision of the NSEA Board of Directors and sustain the trusteeship; reverse that decision and dissolve the trusteeship; or, not counted because it was not clearly marked or was otherwise ambiguous. The Director of Operations will then show the ballot to the other individuals present to observe the count and then set counted ballots aside in one of three designated boxes as appropriate: ballots affirming; ballots reversing; or, un-counted ballots. The Director of Operations will complete that process until all of the Ballot Secrecy Envelopes have been opened and the ballots therein examined and counted or not counted. (BOD 12/21)

7. The tally of NSEA's Director of Operations will be the official tally and is final and binding upon NSEA's President and the local affiliate. (BOD 12/21)
 - a. Affirmation or reversal of an NSEA Board of Directors' decision to continue a trusteeship will be determined by a majority of the votes timely received and counted. (BOD 12/2021)

BOARD

4. NSEA Grants to Local Affiliates
 - a. Prior to the transmission of NSEA and/or NEA project funds by NSEA of any NSEA affiliate, entity or other contractor, there will be developed a written project statement which shall include:
 - i. A statement of project objectives;
 - ii. Specific program activities designed for the project involving expense anticipated in their estimated costs;
 - iii. Provision for evaluation of the overall success of the project;
 - iv.. An accounting of all funds received and expended to NSEA shall be accounted for and any balance returned as well as a listing of individual disbursements from the fund to verify that those disbursements were consistent with the intent of the agreed upon project.
 - b. Upon review of the project evaluation by the NSEA Executive Director and financial report by the NSEA Executive Director and/or Director of Operations, any irregularities are to be brought to the attention of the NSEA Board of Directors. (BD 12/85)
5. NSEA UniServ Policy