

Unmatched Controversy: The 2009 NEA Representative Assembly, San Diego

A compiled report from NEA members/delegates from six states

Held July 1-6 in San Diego, California, with 8,925 delegates from across the nation, the 2009 National Education Association Representative Assembly will likely remain unmatched by any other annual NEA-RA when it comes to intensity and controversy. Example: After debate was cut short, delegates passed New Business Item E, submitted and backed by the NEA Executive Committee. NBI "E" says the following:

"NEA will support its affiliates seeking to enact state legislation that guarantees to same-sex couples the right to enter into a legally recognized relationship pursuant to which they have the same rights and benefits as similarly-situated heterosexual couples including, without limitation, rights and benefits with regard to medical decisions, taxes, inheritance, adoption, and immigration. . . NEA does not believe that a single term must be used to designate this legally recognized 'equal treatment' relationship, and recommends that each state decide for itself whether 'marriage,' 'civil union,' 'domestic partnership,' or some other term is most appropriate based upon the cultural, social, and religious values of its citizenry. . . NEA will support its affiliates in opposing state constitutional and/or statutory provisions that could have the effect of prohibiting the state and its political subdivisions from providing the same rights and benefits to same-sex couples as are provided to similarly-situated heterosexual couples. . . NEA will take such actions as may be appropriate to support efforts to (a) repeal any federal legislation and/or regulations that discriminate against same-sex couples, and (b) enact federal legislation and/or regulations that treat same-sex couples and similarly-situated heterosexual couples equally with regard to social security, health care, taxation, and other federal rights and benefits. . . NEA recognizes that the term 'marriage' has religious connotations and that same-sex marriages may not be compatible with the beliefs, values, and/or practices of certain religions. Because of its support for the separation of church and state and the right to religious freedom guaranteed by the First Amendment to the United States Constitution, NEA supports the right of religious institutions to refuse to perform or recognize same-sex marriages. " *For the full text, go to New Business Item "E" at <http://joemygod.blogspot.com/2009/07/teachers-say-yes-to-marriage-equality.html>, the link suggested on page 2 of the July 6, 2009 newspaper for NEA delegates, the *RA Today*.

Gay, lesbian, bisexual, and transgender delegates were pleased with the outcome of New Business Item E, originally the brainchild of a California delegate who imparted the year before that he and his wife were bisexual and that gays, lesbians, and people like themselves were being denied equal rights. On the other side of the coin, following the vote on NBI-E, an Ohio delegate described herself as a "wimp," saying she succumbed to the pressure to vote for NBI-E, though it was against her conscience, in order to avoid feeling ostracized. (In each state delegation's section at NEA Representative Assemblies, signs are raised to indicate to delegates the state caucus's position on each item up for voice vote. Dissenting first-time delegates sometimes feel intimidated.) Gay, lesbian, bisexual, and transgender NEA delegates also had reason to celebrate when, according to the *2008-2010 NEA Strategic Plan and Budget* booklet, modified and presented to the July 2009 Representative Assembly, they read that the 2008-2009 budget committed \$2,530,018 to gay, lesbian, bisexual, and transgendered persons, and to ethnic minorities, and women's issues; the 2009-2010 budget will commit even more to the human and civil rights of these groups, a whopping \$2,593,151 (page 17). In addition, the NEA has committed to "work in collaboration with gay, lesbian, bisexual, and transgender (GLBT) advocacy groups to improve working conditions and protections for GLBT members in at least 3 states; train 35 team trainers to deliver modules on gay,

lesbian, bisexual, and transgender (GLBT) issues; develop and pilot three training curriculums on social justice learning and working conditions in public education in at least 6 states,” for a total commitment in these areas of \$345,267 in the 2008-2009 budget and a total of \$280,138 budgeted for 2009-2010 (page 20). NEA will also “Provide grants, information, resources, materials, and consultation regarding diversity, gay, lesbian, bisexual and transgender (GLBT), gender equity and safe schools issues that result in at least 50 percent of the state affiliates integrating diversity, GLBT, gender equity and safe schools issues into Comprehensive State Plans. “ (Total commitment here is \$289,271 for 2008-2009 and \$285,609 for 2009-2010. See page 22 of the 2008-2010 NEA Strategic Plan and Budget booklet.) At the Budget Open Hearings the question, “Is what we see in the Budget Report booklet exactly what was expended by the NEA, or are there line-items not listed, and where would we find these?” The response from the Budget Committee was that these are BUDGETED amounts, not the expenditures. Only the Board of Directors looks directly at the actual expenditures. Members do not [normally] have access to this information. (However, some NEA expenditures information is available at <http://www.eiaonline.com/archives/20090120.htm> ; officers’ salaries at <http://www.eiaonline.com/archives/20090126.htm>)

A second matter of some intensity and controversy at the NEA 2009 Representative Assembly involved Bylaw Amendment #1, which would have had NEA take a position of “no position” on the issues of abortion and family planning. The “no position on abortion” language had been submitted at Representative Assemblies in the past, but never by way of a bylaw amendment, which would call for a secret ballot vote rather than a voice vote. NEA leadership started challenging Bylaw Amendment #1 before the general assembly began. At the Constitution and Bylaws Open Hearings, according to the maker of Bylaw Amendment #1, Chief NEA Counsel Bob Chanin remarked that, before he (Bob) retired this year, he wanted to see her amendment fail. (Chanin, known for his candid remarks, caused quite a flurry later when, during his farewell speech to the full assembly, he referred to “conservative and right-wing bastards.” Go to www.eiaonline.com, 18 minutes into the video time line.) Arguments in behalf of the bylaw amendment included delegates’ input that local union affiliates were losing members because of the perception that NEA does take a position on abortion. In response to a question from the floor, a statement was made from the stage that NEA has indeed granted religious accommodations (in closed shop/non-right-to-work states) to members who disagree with NEA’s current position on abortion. Note: When Bylaw Amendment #1 went to a ballot vote the next day, the results were YES 3180 (39.35%) and NO 4902 (60.65%). Bylaw Amendment #1 was defeated, and Bob Chanin got his wish.

If interested, ask your area’s delegates and your state association (state caucus) how they voted on these heated issues, Bylaw Amendment #1 and NBI “E”; also how they voted on any business at the 2009 Representative Assembly in San Diego. Your area’s delegates represented your voice with your dues dollars. Again, for a complete listing of New Business Items, and the action taken on them by the 2009 NEA delegates, go to <http://joemygod.blogspot.com/2009/07/teachers-say-yes-to-marriage-equality.html>, as suggested in the July 6,2009 newspaper for NEA delegates, the *RA Today*.

*** The following page provides a synopsis of other Representative Assembly business and matters of interest to members.**

- Concerned about the controversy and state investigations surrounding ACORN's (Association of Community Organizations for Reform Now) involvement in fraudulent voter registration, a delegate asked at the NEA Budget Open Hearings, "Will NEA give ACORN another \$178,000 next year like they gave this year?" (\$218,452 was given in the 2006-2007 fiscal year.) NEA Treasurer Becky Pringle responded, "That is not a contribution but a contract with organizations."
- NEA committed \$50 million to 2008 election campaigns and contributed \$1 million toward the 2008 Democratic National Convention. http://www.weac.org/News_and_Publications/education_news/2007-2008/nea_wrap.aspx
- In response to another question at the NEA Budget Open Hearings, Treasurer Becky Pringle said that NEA became a member of America Votes (which includes organizations like the Planned Parenthood Action Fund, People for the American Way, SEIU, National Abortion Rights Action League-Pro-choice America, National Stonewall Democrats, MoveOn.org, etc. Go to http://www.americavotes.org/site/partner_summaries/) and that funds come from PAC, not NEA dues. To become a member of America Votes, NEA gave \$160,000 in 2007-2008 and \$651,000 in 2006-2007. Ms. Pringle described America Votes as a group used to maximize progressive candidates.
- At Resolutions Open Hearings, an Ohio delegate asked if a local affiliate of the NEA could take a position officially opposed to same gender marriage or same gender unions and, if not, what consequences would follow if a local were to do so. Ohio NEA director Marshall Buckley told the delegate to ask NEA Chief Counsel Bob Chanin this question in a letter to him or to NEA President Dennis Van Roekel. Another set of questions at Resolutions Open Hearings also received a similar, forwarding response: "Would it be acceptable for a local affiliate to take a position of opposition to abortion or to the use of specified birth control products? If not, what consequences would be possible if a local were to do so?"
- Bylaw Amendment #2 would have required more than one Presidential hopeful to be listed on delegates' secret ballot for NEA's supported U.S. Presidential candidate. Currently, only one Presidential candidate's name appears on delegates' secret ballots. Delegates give the candidate either a "yes" or a "no" support vote. Bylaw amendment #2 results were YES 2020 (25.07%) and NO 6038 (74.93%). Bylaw Amendment #2 was defeated.
- Delegates supported disseminating information about high quality, early childhood public education programs.
- Delegates confirmed that health care reform and health care affordability is a top priority.
- A California delegate's New Business Item #35 stated, "The NEA shall not provide exhibition space at the Annual Meeting to entities promoting the non-scientific concepts of 'creation science,' 'creationism,' or 'intelligent design.'" He based his NBI, in part, on the argument that teaching creationism is contrary to NEA Resolution B49 on Science Education. NBI #35 narrowly failed. (FYI: Over a hundred vendors, caucuses, and organizations purchase exhibit space for displaying their wares during the first 2 ½ days of the annual NEA Representative Assemblies.)
- These side-by-side photos show the backdrop of a couple attention-getting exhibits!--the amusing Beer Caucus exhibit and, on the right, a portion of the NEA-HIN (NEA Health Information Network) exhibit, where passers-by could help themselves to free condoms available in bowls.



- A New York delegate, maker of New Resolution I, Adult Stem Cell Research, was denied by assembly delegates the right to speak to her item, that “The National Education Association shall promote adult stem cell research.” The denial resulted from a recently approved Standing Rule that empowered delegates, by voice vote, to refuse the maker of a new Resolution the right to speak to it.
- Legal counsel, Bob Chanin, remarked during discussion of the Fandino Amendment to Resolution I-16, pertaining to safeguarding civil rights—that [human] fetuses might also be protected if the amendment passed. After some debate, delegates voice-voted against the measure, and it failed.

- Joyce Powell, a candidate for a seat on the NEA Executive Committee, reaped demands of apology after she uttered vulgar words at young candidate Scott Austin for entering the race late in the game. Ms. Powell disputed Austin’s right to join the race, which she and other candidates had invested thousands of dollars in, already. Powell won an Executive Committee seat despite losing at least one state’s support after the incident was disclosed.



Candidates’ posters with the highly-influential GayLesbianBisexualTransgender Caucus endorsement

- Secretary of Education Arne Duncan delivered an address before the actual business of the Representative Assembly began, and some pre-selected teachers and ESPs had the opportunity to ask questions of him from the microphone. Other NEA members had intended to question the Secretary of Education about his selection of Kevin Jennings for Director of Safe Schools, but were not called on. They were concerned about Jennings’role in a workshop, later nicknamed “Fistgate”, at Tufts University; also that Jennings had failed to report to authorities a case of statutory rape referred to in a book he authored. Jennings is the founder of the Gay, Lesbian, Straight Education Network.
- Besides Arne Duncan, Dr. Linda Darling-Hammond (recipient of the Friend of Education Award) and Anthony Mullen (National Teacher of the Year) delivered great speeches at the Rep. Assembly.

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Conclusion: Delegates left the last day’s session of the 2009 Representative Assembly with mixed reactions. Most seemed satisfied with the outcome of the education items. In addition, liberal delegates and many among the NEA leadership rejoiced at the victory of their social issues--reproductive freedom and equal benefits for same-sex couples. Delegates from conservative areas, on the other hand, left San Diego, expecting to face reduced union membership in the coming year, with increased fair share and religious accommodation applications in non-right-to-work states from Biblical, pro-life teachers and support personnel.