

NEVADA STATE EDUCATION ASSOCIATION
Proposed Bylaw Amendments
For Consideration By the 2026 Delegate Assembly

The Bylaws of the Nevada State Education Association require the organization to publish proposed bylaw amendments in the official publication of the organization in advance of their consideration at Delegate Assembly. The following bylaw amendments have been submitted for consideration:

BYLAW PROPOSAL #1

Impact statement: This proposed amendment will update the NSEA Board of Directors' attendance policy.

Fiscal Impact: None

MAKER Bylaw, Policy, Rules, and Resolution Committee

ARTICLE IV
SECTION 8

Amend by addition

For the Directors elected to represent entity membership, ~~three absences~~ being absent from more than 50 percent of the regularly scheduled meetings within a single membership year shall constitute a vacated position. The Board shall prescribe a method of excusing absence which shall be in NSEA policy.

BYLAW PROPOSAL #2

MAKER Amy Benham-Bookey WEA

Impact statement: This proposed amendment splits the delegate's 2-year term to serve at the DA and at the Leadership Assembly.

Fiscal Impact: None

ARTICLE III
SECTION 6

Amend by addition

- A. Delegates shall serve a two-year term~~s~~, one serving DA, one serving Leadership Assembly. If a local wishes or needs to establish staggered terms for its designation to achieve a balance of the number of delegates to elect, the local will inform the NSEA Board of Directors of the reason(s) to elect single-term delegates
- B. A delegate may be excused from the Assembly for reasonable cause as determined by the local Board of Directors.
- C. If an elected delegate is unable to attend the Assembly, an alternate shall substitute.
- D. An alternate delegate shall serve for the elected delegate at the Assembly from which the elected delegate has been excused.
- E. The alternate delegate shall serve the remainder of the elected delegate's term at the Assembly for an elected delegate's unexcused absence.
- F. Alternate delegates shall be informed as to the elected delegate they are replacing for the length of that term.

BYLAW PROPOSAL #3

Impact statement: This proposed amendment changes the composition of the Board of Directors.

Fiscal Impact: Cost savings of approximately \$13,000 - \$15,000.

MAKER Rachel Croft NRE

ARTICLE IV SECTION 1

Amend by addition

The Board of Directors shall include the President of the Nevada State Education Association, the Vice-President of the Nevada State Education Association, the Secretary-Treasurer of the Nevada State Education Association, the Education Support Personnel-At-Large, and ~~all~~ the NEA Directors for Nevada. ~~the elected Presidents representing the Aspiring Educators, the Education Support Employees Association of Clark County, NEA of Southern Nevada, NSEA-Retired, the NRE, the Washoe Education Association and the NSEA Administrators in Washoe County and the Washoe Education Support Professionals. Further, the Board shall consist of members elected by each of the following groups on the one person, one vote principle, open nominations and by secret ballot on the basis of one Director for every six hundred (600) active members.~~ Further, the Board shall consist of members elected by each of the following affiliates in accordance with the one-person, one-vote principle, through open nominations and election by secret ballot. Representation shall be apportioned at a ratio of one (1) Director for every six hundred (600) active members in good standing. The number of Directors shall be determined based on total membership and rounded to the nearest whole number; fractions of .50 or greater shall be rounded up, and fractions of less than .50 shall be rounded down.

1. Aspiring Educators
2. NSEA Retired
3. ESEA
4. NEA-SN
5. NRE
6. WEA
7. WESP

Notwithstanding any provision(s) of these Bylaws, any of the preceding named groups in this article shall be allotted a minimum of one (1) Director ~~if the 600 active member threshold is not met.~~

~~Additionally, NSEA-Retired shall be allotted one (1) Director.~~

Any At-Large NEA Directors, NEA Executive Committee Members and/or NEA Officers from Nevada, and any NSEA-Retired member who is an elected NEA-Retired officer or NEA-Retired Executive Council member shall be ex-officio voting members of the Board of Directors.

BYLAW PROPOSAL #4

Impact Statement: This proposed amendment eliminates certain voting rights and will be ruled out of order due to violating the NSEA Articles of Incorporation and the NEA Bylaws.

Fiscal Impact: NA

MAKER Gilbert Lenz WEA

ARTICLE IV
SECTION 9

Amend by deletion and addition

A. Members of the Board of Directors must be present in order to cast a vote.

B. Members of the Board of Directors shall have one vote ~~unless any member of the Board asks that the weighted vote be used.~~

~~C. A per member represented, weighted vote may be applied in any decision including adoption of an emergency policy if a member of the NSEA Board of Directors requests that the weighted vote be used. D. Weighted voting may be used under the following conditions:~~

- ~~1. Weighted voting shall not be used as a means for achieving the oneperson, one vote standard on the NSEA Board;~~
- ~~2. At no time shall the weighted vote for an election district be increased by, or be diminished by more than .499 of a whole vote;~~
- ~~3. Officers shall be granted one vote each whenever the weighted vote is called.~~

~~E. The proportionate vote for each area or employment level shall be based upon the NSEA official paid membership records as of February first (1st) prior to Delegate Assembly. The Executive Director shall notify each Director and elected officer of the official count and per member value of his/her proportionate vote at the first Board meeting following the Delegate Assembly.~~

1. All decisions of the Board of Directors shall be determined by majority vote of the members present and voting.
2. Weighted voting is prohibited. Any language in these Bylaws previously authorizing weighted voting is hereby repealed.

BYLAW PROPOSAL # 5

Impact Statement: This proposed amendment will compel NSEA to fund one-half (1/2) of the costs of delegates to attend Delegate Assembly.

Fiscal Impact: This proposal is estimated to cost \$137,500 which equates to a dues increase of \$14.61 per year per member.

MAKER Gilbert Lenz WEA

ARTICLE III
SECTION New Section

Amend by Addition

NSEA shall fund no less than one-half (1/2) of the registration, travel, lodging, and per diem expenses for all duly elected local delegates to the NSEA Delegate Assembly. Such funding shall be included in the annual budget submitted to the Delegate Assembly. Reductions shall require a two-thirds (2/3) vote of the Delegate Assembly.

BYLAW PROPOSAL #6

Impact statement: This proposed amendment will compel NSEA to fund one-half (1/2) of the cost of delegates to attend NEA Representative Assembly (RA).

Fiscal Impact: This proposal is estimated to cost \$200,000 - \$250,000 which equates to a dues increase of \$20.60 - \$25.75 per member per year.

MAKER Gilbert Lenz

ARTICLE III

SECTION New addition

Amend by addition

NSEA shall fund no less than one-half (1/2) of the registration, travel, lodging, and per diem expenses for duly elected NSEA delegates to the NEA Representative Assembly. Reductions shall require a two-thirds (2/3) vote of the Delegate Assembly.

BYLAW PROPOSAL #7

Impact Statement: This proposed amendment will be ruled out of order as it strips Delegate Assembly of governing authority and assigns that authority to the NSEA Board of Directors in conflict with existing bylaws which remain unchanged by this proposed amendment. It will also be ruled out of order due to additional concerns.

Fiscal Impact: NA

MAKER Gilbert Lenz WEA

ARTICLE IV
SECTION 7

Amend by addition

The Board of Directors shall:

- A. Be responsible for the general management of the NSEA;
- B. Submit a proposed budget for the NSEA to the Delegate Assembly for adoption and have the authority to amend the budget as needed between Delegate Assemblies.
- C.
 - 1. Originate NSEA Board policy and report to the Delegate Assembly;
 - 2. Originate NSEA Association policy in situations requiring timely action. These policies shall be subject to the approval of the next Delegate Assembly.
- D. Report all policy decisions to the Delegate Assembly.
- E. Institute a procedure for selection of representatives from units who fail to meet the 15-day time line for transmission of names of local unit delegates.
- F. Fill the vacancy(s) of the Vice-President, Secretary-Treasurer, and the NEA Directors.
- G. Approve Standing or Special Committee appointments.
- H. Have the authority to amend the budget as needed between Delegate Assemblies.
- I. Have the authority to make technical and editorial corrections to the NSEA Bylaws. The Board shall report any corrections to the next Delegate Assembly.
- J. Have the authority to proscribe the salary and benefits of the President within the allotted budget approved by the Delegate Assembly, however, in no event may the salary for the President be less than \$100,000.

K. The Board of Directors is the governing authority of NSEA and holds ultimate responsibility for policy, budget oversight, and direction of the Association. All actions of the Executive Director and officers shall conform to policies and budgets adopted by the Delegate Assembly and the Board.

ARTICLE V
SECTION 3, A

A. PRESIDENT

The President shall be the chief elected officer of the Association and its policy leader. The position of President shall be full-time release. A full-time release president is defined as an active member, who is elected as NSEA President, serving full-time as President of NSEA with no responsibilities for the job from which he/she is being released. The teacher-partner concept does not meet the definition of full-time release.

1. Duties:

The President shall:

- a. represent the Association as spokesperson on matters of policy or assign, at the President's discretion, responsibility for such representation;
- b. prepare the agendas and preside at meetings of the Board of Directors and Delegate Assembly;
- c. prepare, with the Secretary-Treasurer, the Executive Director and the Budget Committee, a budget for submission to the Delegate Assembly;
- d. appoint chairpersons and members of standing or special committees with the approval of the Board of Directors;
- e. chair the NSEA-TIP Board;
- f. represent Nevada on the Council for the NEA Fund for Children and Public Education;
- g. act as the Alternate NEA Director to attend NEA Board Meetings when an NEA Director is unable to attend;
- h. meet regularly with the other officers of the Association and the Executive Director;
- i. serve as an ex-officio member on all committees;
- j. perform such other duties as assigned by the Delegate Assembly and/or the Board of Directors;
- k. visit all local affiliates each year.
- l. The President shall implement policies adopted by the Delegate Assembly and Board of Directors and shall not obligate the Association financially or operationally except as authorized by those bodies.

2. Term of Office:

The office of President is a three-year term. A person elected to the office of President is eligible for two consecutive terms and shall serve until a successor is elected. The term of the President shall begin at the close of the NEA Representative Assembly in the year that the President's election has occurred.

3. Vacancy: If the office of the President shall become vacant, the Vice-President shall become President for the remainder of the President's term. If the vacancy occurs;

- a) During the first half of the three (3) year term, the member filling the vacancy is eligible for one (1) additional term. The first half of the term is defined as the first eighteen (18) months after the member takes office.

b) During the second half of the three (3) year term, the member filling the vacancy is eligible for two (2) additional terms. The second half of a term is defined as the eighteen (18) months which begins the day following the eighteen (18) months after the Vice President takes office.

ARTICLE VI
SECTION

~~The Executive Director is responsible to the Board of Directors, which shall prescribe the duties of the position.~~

The Executive Director is the chief administrative officer of the Association and is responsible to the Board of Directors. The Executive Director shall implement the policies, programs, and budget adopted by the Board and shall provide complete and accurate financial and operational information to the Board, officers, and members as required by these Bylaws. The Executive Director shall not adopt, modify, conceal, or withhold financial or operational structures contrary to Board direction.

BYLAW PROPOSAL #8

Impact statement: This proposed amendment requires a biannual report to local affiliates.

Fiscal Impact: NA

MAKER Gilbert Lenz WEA

ARTICLE IV

SECTION New section

Amend by addition

The Executive Director shall provide to each local affiliate, twice annually, a written report summarizing the direct services, support, and advocacy provided to that local during the preceding six months. Reports shall be distributed to local presidents and shall be available to any member upon request.

BYLAW PROPOSAL #9

Impact statement: This proposed amendment requires certain financial reporting and will require additional staffing.

Fiscal Impact: This proposal is estimated to cost \$120,000 which equates to a dues increase of \$12.36 per member per year.

MAKER Gilbert Lenz WEA

ARTICLE IV
SECTION New Section

Amend by addition

The Executive Director shall prepare a detailed expenditure report identifying distinct categories of income and expenditures. At a minimum, the report shall separately identify personnel costs and benefits; officer travel; Executive Director travel; in-state staff travel for routine operations; out-of-state travel by conference or event with separate staff and member participation; contracted services and professional fees; programs and member services; and facilities and administrative expenses.

The expenditure report shall be prepared at least twice annually and presented at a level sufficient to permit reasonable member and Board oversight. The report shall not be required to include individual receipts, invoices, or transaction-level detail.

The expenditure report shall be made available for review by any NSEA member who appears in person at the NSEA office during normal business hours.

BYLAW PROPOSAL #10

Impact Statement: This proposed amendment may be ruled out of order as it contradicts and is duplicative of Article IV Section 7(i).

Fiscal Impact: NA

MAKER Gilbert Lenz WEA

ARTICLE XII

SECTION New Section

Amend by addition

The Bylaws, Rules, Policies, and Resolutions Committee is authorized to make non-substantive conforming edits to numbering, cross-references, and formatting required to implement amendments adopted by the Delegate Assembly. No conforming edit may alter the meaning or effect of an adopted amendment.

BYLAW PROPOSAL #11

Impact Statement: This proposed amendment would require an additional annual Delegate Assembly.

Fiscal Impact: This cost of an additional Delegate Assembly is approximately \$250,000 which will be borne by NSEA and the local affiliate. The cost equates to a dues increase of 25.75 per member per year.

MAKER Gilbert Lenz WEA

ARTICLE III SECTION 1

Amend by addition

A. ~~Effective with the 2020 Delegate Assembly, such Delegate Assembly shall be held every two years thereafter.~~
Delegate Assembly shall be held annually. The time and place shall be established by the Board of Directors.
The time and place shall be established by the Board of Directors.

B. A majority of the registered delegates shall constitute a quorum for the Delegate Assembly.

C. The Delegate Assembly is the legislative governing authority of the NSEA. The Assembly shall adopt the budget, amend the bylaws, set NSEA dues for all classes of membership, approve resolutions, and formulate policy statements of the NSEA.

D. The Delegate Assembly shall receive and consider reports of the officers, Board of Directors, Executive Director and standing or special committees.

E. Election rules shall be approved by the Delegate Assembly.

BYLAW PROPOSAL #12

Impact Statement: This proposed amendment will be ruled out of order due to a legal opinion.

Fiscal Impact: NA

MAKER Gilbert Lenz WEA

ARTICLE XII
SECTION NEW 5

Amend by addition

The Board of Directors shall have final authority to interpret these Bylaws.

Questions of interpretation may be referred to the Bylaws, Rules, Policies and Resolutions Committee for recommendation, but all interpretations shall be adopted by majority vote of the Board.

No interpretation shall alter the meaning or effect of any provision adopted by the Delegate Assembly.

BYLAW PROPOSAL #13

Impact Statement: This proposed bylaw amendment reduces power of NSEA to reign in corruption, financial malfeasance, and restore democratic procedures and further weakens the existing rules governing trusteeships.

Fiscal Impact: None

MAKER Gilbert Lenz WEA

ARTICLE X
SECTION 1

Amend by addition

To the extent allowable by state and federal law, the Board of Directors shall have the authority to enact policies which allow for the trusteeship of a local affiliate for the purposes of correcting corruption or financial malpractice and/or restoring democratic procedures. The policies adopted by the Board of Directors shall, at a minimum, allow for the appointment of a Trustee or Trustees who shall be empowered to take charge and control of a local affiliate and shall authorize and empower the Trustees(s) to take full charge of the affairs of the affiliate and shall empower the Trustee(s) to take possession of all the funds, books, papers, and other property of the local affiliate. The policies adopted by the Board of Directors shall include a review and due process procedure.

1. A trusteeship shall be reviewed by the Board of Directors every six (6) months. Continuation of the trusteeship shall require a majority vote of the Board.
2. A local placed in trusteeship shall have the right to submit written statements to the Board for each review and may request an opportunity to address the Board before continuation is considered.
3. The Trustee shall provide written reports to the Board of Directors outlining actions taken, remaining deficiencies, and progress toward restoring democratic governance.
4. A trusteeship shall be terminated once the conditions that justified its imposition have been sufficiently corrected to restore democratic practices and financial integrity.
5. Trusteeship provisions shall be implemented consistent with applicable law and the NEA Constitution and Bylaws.

BYLAW PROPOSAL #14

Impact statement: This proposed amendment will force cuts to member services and staff, including UniServ Directors, with an estimated loss of revenue of \$400,000-600,000.

Fiscal Impact: The 400,000-\$600,000 loss of revenue equates to a dues increase of \$41.52 – 61.29 per member per year.

MAKER Gilbert Lenz WEA

ARTICLE II SECTION 2

Amend by deletion and addition

~~The Delegate Assembly sets the dues for Active, Active-RIF, and Reserve Members as follows:~~

~~A. The NSEA portion of dues for an Active Member who is an Education Professional is 0.6% (0.006) of the teachers' average salary.~~

~~B. The NSEA portion of dues for an Active Member who is an Education Support Professional is 60% of the NSEA dues of an active member who is an educational professional.~~

~~C. The NSEA portion of dues for a part-time Active Member who is an Education Professional is 50% of the NSEA dues of an active member who is an Educational Professional.~~

~~D. The NSEA portion of dues for a part-time Active Member who is an Education Support Professional is 50% of the NSEA dues of an active member who is an Education Support Professional.~~

~~E. The NSEA portion of dues for an Active-RIF member who is an Education Professional is 50% of the NSEA dues of an active member who is an Education Professional.~~

~~F. The NSEA portion of dues for an Active-RIF Member who is an Education Support Professional is 50% of the NSEA dues of an active member who is an Education Support Professional.~~

~~G. The NSEA portion of dues for a Reserve Member who is an Education Professional is 50% of the NSEA dues of an active member who is an Education Professional.~~

~~H. The NSEA portion of dues for a Reserve Member who is an Education Support Professional is 50% of the NSEA dues of an active member who is an educational support professional.~~

~~The Board of Directors shall have the authority to establish dues for the non-Active classes of membership.~~

The Board of Directors shall have the authority to set the Active, Active-RIF, and Reserve dues for new local associations for a period of up to ~~three~~ **two** full membership years following the recognition of the new affiliate.

The Board of Directors shall have the authority to modify the associate membership category between Delegate Assemblies in order to further its purpose of the category.

I. Effective Membership Year 2024/2025, increases in the NSEA portion of dues for any single year shall be capped at no more than five (5%).

Effective Membership Year 2026–2027, for purposes of determining dues under Article II, Section 2(A), “teachers’ average salary” shall mean the statewide average salary of classroom teachers in Nevada as reported in the most recent Rankings & Estimates publication of the National Education Association. If that publication is unavailable or materially altered, the Board of Directors may temporarily designate an alternative data source for dues calculation until the next Delegate Assembly, at which time the Delegate Assembly shall approve, modify, or reject the alternative.

BYLAW PROPOSAL #15

Impact Statement: This proposed amendment requires NSEA to support local affiliates to join the AFL-CIO.

Fiscal Impact: The estimated cost is \$240,000 per year, which equates to a dues increase of 24.72 per year per member

MAKER Selena LaRue Hatch WEA

ARTICLE VIII

SECTION New Section 14

Amend by addition

Section 14: AFL-CIO Affiliation

The NSEA shall support local affiliates in their efforts to affiliate with the local, state, and national levels of the AFL-CIO. This includes financial support to assist with locals with the dues costs of joining AFL-CIO at all levels.

BYLAW PROPOSAL #16

Impact statement: This proposed amendment would eliminate the Leadership Assembly.

Fiscal Impact: Cost savings of approximately \$20,000 every other year.

MAKER Selena LaRue Hatch WEA

ARTICLE III
SECTION 8

Amend by deletion

~~A. Effective with the summer of 2021, the Board of Directors shall convene a statewide Summer Leadership Conference. Such statewide Summer Leadership Conference shall be held every two years thereafter. The time and place shall be determined by the Board of Directors.~~

~~B. At a minimum, the statewide Summer Leadership Conference shall present trainings in relevant professional development, legislative actions/information, and other trainings of assistance to members of the Association.~~

BYLAW PROPOSAL #17

Impact statement: This proposed amendment will eliminate the all-member mail-in ballot and require that elections be held only at Delegate Assembly.

Fiscal Impact: An estimated cost of \$60,000 borne by local affiliate due to increased Labor-Management Reporting and Disclosure Act (LMRDA) compliance. That will equate to a member dues increase of \$6.18 per year per member.

MAKER Selena LaRue Hatch WEA

ARTICLE V SECTION 5

Amend by deletion and addition

A. Election of the officers shall occur as proscribed in the Bylaws and Election Rules adopted by the Delegate Assembly.

B. Voting for officers shall be by ballot as proscribed in the Bylaws and the Election Rules adopted by the Delegate Assembly.

C. The ballot shall contain the names of the candidates and a place for a write-in for the position(s) of the officer(s) in the year in which the election is scheduled. In the event the number of nominees for office matches the open offices (no opposition), the election will be declared in favor of the existent nominee, without conducting a formal ballot.

D. A majority of votes cast shall decide any election, except as provided in (C) above.

E. In elections for single positions with multiple candidates for one position in which no candidate receives a majority vote, the next ballot shall contain the names of the two persons who received the largest number of votes in descending order.

F. Elections shall be conducted under the direction of the Elections Committee in accordance with the rules adopted by the Delegate Assembly.

~~G. Elections for officers shall be conducted by an all-member mail-in ballot in accordance with the Election Rules.~~

Elections for officers shall be conducted at Delegate Assembly.

BYLAW PROPOSAL #18

Impact statement: This proposed amendment requires the repayment of certain expenses to NSEA if a local chooses to disaffiliate from the NSEA and NEA.

Fiscal Impact: None

MAKER Selena LaRue Hatch

ARTICLE VIII

SECTION New Section

Amend by addition

Should a local association disaffiliate from NSEA, the local association shall reimburse NSEA for any grants, investments and supports NSEA provided to the affiliate in the previous two years.

BYLAW PROPOSAL #19

Impact statement: This proposed amendment would compel NSEA to for one-half (1/2) of the costs of delegates to attend Delegate Assembly.

Fiscal Impact: This proposal is estimated to cost \$137,500 which equates to a dues increase of \$14.61 per year per member.

MAKER Jan Giles ESEA

ARTICLE III SECTION 1

Amend by addition

A. Effective with the 2020 Delegate Assembly, such Delegate Assembly shall be held every two years thereafter. The time and place shall be established by the Board of Directors.

B. A majority of the registered delegates shall constitute a quorum for the Delegate Assembly.

C. The Delegate Assembly is the legislative governing authority of the NSEA. The Assembly shall adopt the budget, amend the bylaws, set NSEA dues for all classes of membership, approve resolutions, and formulate policy statements of the NSEA.

D. The Delegate Assembly shall receive and consider reports of the officers, Board of Directors, Executive Director and standing or special committees.

E. Election rules shall be approved by the Delegate Assembly.

F. NSEA will pay half of the determined conference rate for each delegate to attend the Delegate Assembly.

BYLAW PROPOSAL #20

Impact Statement: This proposed amendment clarifies “groups” as “local affiliated unions” and has no substantive effect.

Fiscal Impact: None

MAKER Jan Giles ESEA

ARTICLE IV
SECTION 1, A

Amend by addition

A. The Board of Directors shall include the President of the Nevada State Education Association, the Vice-President of the Nevada State Education Association, the Secretary-Treasurer of the Nevada State Education Association, the Education Support Personnel-At-Large, all the NEA Directors for Nevada, the elected Presidents representing the Aspiring Educators, the Education Support Employees Association of Clark County, NEA of Southern Nevada, NSEA-Retired, the NRE, the Washoe Education Association and the NSEA Administrators in Washoe County and the Washoe Education Support Professionals. Further, the Board shall consist of members elected by each of the following ~~groups~~ local affiliated unions on the one-person, one-vote principle, open nominations and by secret ballot on the basis of one Director for every six hundred (600) active members:

1. Education Support Employees Association of Clark County
2. NEA of Southern Nevada Updated
3. Nevada Rural Educators
4. Washoe Education Association and NSEA Administrator members in Washoe County
5. Washoe Education Support Professionals

Notwithstanding any provision(s) of these Bylaws, any of the preceding named groups in this article shall be allotted a minimum of one (1) Director.

Additionally, NSEA-Retired shall be allotted one (1) Director.

Any At-Large NEA Directors, NEA Executive Committee Members and/or NEA Officers from Nevada, and any NSEA-Retired member who is an elected NEA-Retired officer or NEA-Retired Executive Council member shall be ex-officio voting members of the Board of Directors.

BYLAW PROPOSAL #21

Impact statement: This proposed amendment will be ruled out of order because it removes the representation of NSEA Retired members and Aspiring Educators at Delegate Assembly.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE III SECTION 4

Amend by addition

A. The NSEA official active, student and retired membership roll and affiliates list shall be the basis upon which the NSEA Executive Director notifies each unit of its delegate entitlement. The entitlement shall be based on the December first (1st) active membership figures and reporting shall be completed by the tenth (10th) day of December each year.

B. Each **affiliated active** local unit of the NSEA shall be entitled to one delegate for each seventy (70) active members or major fraction thereof. Each local unit shall be guaranteed at least one delegate.

C. Each affiliate shall make every reasonable effort to elect ethnic-minority representation at least proportionate to its active ethnic-minority membership.

D. Ethnic-minority representation should be at least in proportion to the number of active ethnic-minority members of NSEA. E. NSEA active members in each unaffiliated local school district unit or other education units are qualified for participation and shall be entitled to the following numbers of delegates to the Assembly: one delegate for each seventy (70) active members or major fraction thereof.

1. Units within this category shall make every reasonable effort to elect ethnic-minority representation at least proportionate to the active ethnic-minority membership of the unit.

2. Administrators shall make every reasonable effort to have representation to the delegate Assembly in proportion to their active members in NSEA.

F. All delegates shall be elected on the one-person, one-vote principle.

BYLAW PROPOSAL #22

Impact statement: This proposed amendment is prohibited by a separate agreement between NSEA and the NEA and will be ruled out of order.

Fiscal Impact: Estimated \$120,000 for an additional staff member to complete the reports which equates to a dues increase of 12.36 per member per year.

MAKER Jan Giles ESEA

ARTICLE IV SECTION 7

Amend by addition

The Board of Directors shall:

- A. Be responsible for the general management of the NSEA;
- B. Submit a proposed budget for the NSEA to the Delegate Assembly for adoption and have the authority to amend the budget as needed between Delegate Assemblies. [The budget shall include prior years detailed expenditures by line item categories not just the strategic amount. The budget submitted for adoption will include detailed projected expenses by line item.](#)
- C.
 - 1. Originate NSEA Board policy and report to the Delegate Assembly;
 - 2. Originate NSEA Association policy in situations requiring timely action. These policies shall be subject to the approval of the next Delegate Assembly.
- D. Report all policy decisions to the Delegate Assembly.
- E. Institute a procedure for selection of representatives from units who fail to meet the 15-day time line for transmission of names of local unit delegates.
- F. Fill the vacancy(s) of the Vice-President, Secretary-Treasurer, and the NEA Directors.
- G. Approve Standing or Special Committee appointments.
- H. Have the authority to amend the budget as needed between Delegate Assemblies.
- I. Have the authority to make technical and editorial corrections to the NSEA Bylaws. The Board shall report any corrections to the next Delegate Assembly.
- J. Have the authority to proscribe the salary and benefits of the President within the allotted budget approved by the Delegate Assembly, however, in no event may the salary for the President be less than \$100,000.

BYLAW PROPOSAL #23

Impact statement: This proposed amendment removes the power of the NSEA Board of Directors and NSEA President to appoint members to the Election Committee and there is no other mechanism to appoint members to committees. This proposed amendment will be ruled out of order unless Bylaw Proposal #28 also passes.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE V
SECTION 3

Amend by addition

A. The President shall be the chief elected officer of the Association and its policy leader. The position of President shall be full-time release. A full-time release president is defined as an active member, who is elected as NSEA President, serving full-time as President of NSEA with no responsibilities for the job from which he/she is being released. The teacher-partner concept does not meet the definition of full-time release.

1. Duties:

The President shall:

- a. represent the Association as spokesperson on matters of policy or assign, at the President's discretion, responsibility for such representation;
- b. prepare the agendas and preside at meetings of the Board of Directors and Delegate Assembly;
- c. prepare, with the Secretary-Treasurer, the Executive Director and the Budget Committee, a budget for submission to the Delegate Assembly;
- d. appoint chairpersons and members of standing or special committees with the approval of the Board of Directors, [except the elections committee](#);
- e. chair the NSEA-TIP Board;
- f. represent Nevada on the Council for the NEA Fund for Children and Public Education;
- g. act as the Alternate NEA Director to attend NEA Board Meetings when an NEA Director is unable to attend;
- h. meet regularly with the other officers of the Association and the Executive Director;
- i. serve as an ex-officio member on all committees;
- j. perform such other duties as assigned by the Delegate Assembly and/or the Board of Directors;
- k. visit all local affiliates each year.

BYLAW PROPOSAL # 24

Impact Statement: This proposed amendment will be ruled out of order due to a violation of the NEA Bylaws and the NSEA Articles of Incorporation.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE IV
SECTION 9

Amend by deletion

A. Members of the Board of Directors must be present in order to cast a vote.

B. Members of the Board of Directors shall have one vote unless any member of the Board asks that the weighted vote be used.

C. A per-member represented, weighted vote may be applied in any decision including adoption of an emergency policy if a member of the NSEA Board of Directors requests that the weighted vote be used.

D. Weighted voting may be used under the following conditions:

1. Weighted voting shall not be used ~~as a means for achieving~~ the oneperson, one-vote standard on the NSEA Board;
2. At no time shall the weighted vote for an election district be increased by, or be diminished by more than .499 of a whole vote;
3. Officers shall be granted one vote each whenever the weighted vote is called.

E. The proportionate vote for each area or employment level shall be based upon the NSEA official paid membership records as of February first (1st) prior to Delegate Assembly. The Executive Director shall notify each Director and elected officer of the official count and per-member value of his/her proportionate vote at the first Board meeting following the Delegate Assembly.

BYLAW PROPOSAL #25

Impact Statement: This proposed amendment will be ruled out of order due to a conflict with NEA regulations.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE V
SECTION 3

Amend by addition

A. PRESIDENT

The President shall be the chief elected officer of the Association and its policy leader. The position of President shall be full-time release. A full-time release president is defined as an active member, who is elected as NSEA President, serving full-time as President of NSEA with no responsibilities for the job from which he/she is being released. The teacher-partner concept does not meet the definition of full-time release.

1. Duties: The President shall:

- a. represent the Association as spokesperson on matters of policy or assign, at the President's discretion, responsibility for such representation;
- b. prepare the agendas and preside at meetings of the Board of Directors and Delegate Assembly;
- c. prepare, with the Secretary-Treasurer, the Executive Director and the Budget Committee, a budget for submission to the Delegate Assembly;
- d. appoint chairpersons and members of standing or special committees with the approval of the Board of Directors;
- e. chair the NSEA-TIP Board;
- f. represent Nevada on the Council for the NEA Fund for Children and Public Education;
- g. act as the Alternate NEA Director to attend NEA Board Meetings when an NEA Director is unable to attend;
- h. meet regularly with the other officers of the Association and the Executive Director;
- i. serve as an ex-officio member on all committees;
- j. perform such other duties as assigned by the Delegate Assembly and/or the Board of Directors;
- k. visit all local affiliates each year.
- k. When submitting recommendations to NEA for committee appointments or conference participation involving NSEA members, the President is required to solicit nominations from local affiliate Presidents prior to submitting any names. The President shall make their selection from the nominations submitted by the affiliates.

BYLAW PROPOSAL #26

Impact Statement: This proposed amendment allows members of the Board of Directors the option to caucus before making their votes, but existing rules prohibit the use of the unit rule.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE IV
SECTION 9

Amend by addition

A. Members of the Board of Directors must be present in order to cast a vote.

B. Members of the Board of Directors shall have one vote unless any member of the Board asks that the weighted vote be used.

C. A per-member represented, weighted vote may be applied in any decision including adoption of an emergency policy if a member of the NSEA Board of Directors requests that the weighted vote be used. D. Weighted voting may be used under the following conditions:

1. Weighted voting shall not be used as a means for achieving the oneperson, one-vote standard on the NSEA Board;

2. At no time shall the weighted vote for an election district be increased by, or be diminished by more than .499 of a whole vote;

3. Officers shall be granted one vote each whenever the weighted vote is called.

E. The proportionate vote for each area or employment level shall be based upon the NSEA official paid membership records as of February first (1st) prior to Delegate Assembly. The Executive Director shall notify each Director and elected officer of the official count and per-member value of his/her proportionate vote at the first Board meeting following the Delegate Assembly.

F. If a weighted vote is called for, each local may caucus to determine how their votes will be counted.

BYLAW PROPOSAL #27

Impact Statement: This proposed bylaw amendment will be ruled out of order as there is no “Executive Board”

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE IV
SECTION 10

Amend by substitution

A. After six (6) months in office, a member of the Board of Directors of the Association may be recalled for violation of the Code of Ethics of the Education Profession, for misfeasance, for malfeasance, or for nonfeasance in office.

B. Recall proceedings shall be initiated by the filing of a recall petition with the NSEA Executive Director. The recall petition shall be on a form specified by the NSEA and shall, among other things, contain (1) a statement of the specific grounds for the recall, and (2) the signatures of at least 25% of the number of NSEA Active members in the affiliate as of the close of the membership year immediately preceding the membership year in which the petition is filed where that NSEA Director is elected by all NSEA active members in that affiliate.

C. The NSEA Executive ~~Director~~ Board shall determine whether the recall petition complies with the Association's filing requirements. If it does, the NSEA Executive Director shall send a copy of the recall petition, including any documents filed in support thereof, to the Director named in the petition. If the Director contends that the attempted recall is based upon actions taken by him/her in support of the Constitution, Bylaws and/ or established policies of the NSEA or NEA, he/she may request a review by the Board of Directors. If two-thirds (2/3) of the Board of Directors sustains the contention of the Director, the recall petition shall be dismissed. If the Board of Directors fails to sustain the contention of the Director, or if a request for a review is not made, the NSEA Executive Director shall direct the relevant representative area to conduct a recall election.

D. A recall election shall be conducted in accordance with rules of procedure adopted by the NSEA Board of Directors, provided that:

1. All the NSEA active members in that representative area as of the date of the recall election shall be eligible to vote;
2. The recall election shall be by secret ballot; and
3. Two-thirds (2/3) of the valid ballots cast shall be required for a recall.

E. The pendency of recall proceedings shall have no effect upon the right of the Director to function as a member of the NSEA Board of Directors. If a Director is recalled, the resulting vacancy shall be filled pursuant to ARTICLE IV, SECTION 4: VACANCIES provided that the recalled Director shall not be eligible for appointment to the vacancy or such other vacancy as may occur in a Director position from that representative area. The recall of a Director shall not disqualify him/her from subsequent election to the NSEA Board of Directors or other NSEA office(s), nor shall it in any other way affect his/her rights as a member of the Association.

F. If a recall petition is filed where there is a pending NSEA disciplinary proceeding against the Director, which could result in his/her removal from the NSEA Board of Directors, the processing of the recall petition shall be stayed until the disciplinary proceeding is concluded.

G. The NSEA Board of Directors shall adopt rules of procedure to implement the provisions of the Bylaw.

BYLAW PROPOSAL #28

Impact Statement: This proposed amendment would add the presidents of the top five locals as committee members to the Elections Committee; however, the proposed bylaw will run into legal issues due to the lack of a definition of “top five locals”

Fiscal Impact: None

MAKER Jan Giles ESEA

ARTICLE VII
SECTION 1, A

Amend by addition

The Standing Committees of the NSEA, which are appointed by the President and approved by the Board of Directors, are as follows:

A. Delegate Assembly Standing Committees

1. Elections and Credentials: The Elections and Credentials Committee is responsible for conducting elections for all officers, constitutional amendments at Delegate Assembly and other NSEA elections as directed by the President or the Board of Directors. [The presidents of the top five locals of NSEA will be included as committee members.](#)
2. Bylaws, Rules, Policies and Resolutions: The Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the Bylaws and Rules and the processing of proposed amendments to the Bylaws and Rules to be considered for action by the Delegate Assembly. In addition, the Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the NSEA Policies and Resolutions and the processing of changes or proposed amendments to the Policies or Resolutions to be considered by the Board of Directors or Delegate Assembly.
3. Budget Committee: The Budget Committee is responsible for the development and oversight of the NSEA Budget. The Budget Committee shall develop the proposed balanced budget based on the NSEA’s strategic plan, core values, mission and vision statements. Prior to each Delegate Assembly preceding the new fiscal year, a proposed balance budget shall be presented to the NSEA Board for recommendation to the Delegate Assembly.

BYLAW PROPOSAL #29

Impact statement: This proposed amendment will require the elections committee chair and co-chair to handle the elections ballots from the outside mailbox to the secure location in the NSEA office.

Fiscal Impact: None

MAKER Jan Giles ESEA

ARTICLE V
SECTION 5

Amend by addition

A. Election of the officers shall occur as proscribed in the Bylaws and Election Rules adopted by the Delegate Assembly.

B. Voting for officers shall be by ballot as proscribed in the Bylaws and the Election Rules adopted by the Delegate Assembly.

C. The ballot shall contain the names of the candidates and a place for a write-in for the position(s) of the officer(s) in the year in which the election is scheduled. In the event the number of nominees for office matches the open offices (no opposition), the election will be declared in favor of the existent nominee, without conducting a formal ballot.

D. A majority of votes cast shall decide any election, except as provided in (C) above.

E. In elections for single positions with multiple candidates for one position in which no candidate receives a majority vote, the next ballot shall contain the names of the two persons who received the largest number of votes in descending order.

F. Elections shall be conducted under the direction of the Elections Committee in accordance with the rules adopted by the Delegate Assembly.

G. Elections for officers shall be conducted by an all-member mail-in ballot in accordance with the Election Rules.

H. This must require all mail in ballots, including those that are undeliverable, have a return address to a locked US postal box and can only be claimed by the elections committee chair and co-chair.

BYLAW PROPOSAL #30

Impact Statement: This proposed amendment will be ruled out of order under the NSEA Articles of Incorporation, the NEA Bylaws and Constitution, and the LMRDA requirement that At-Large seats be voted on by all members.

Fiscal Impact: NA

MAKER Jan Giles ESEA

ARTICLE V
SECTION 3

Amend by addition

D. ESP-AT-LARGE

1. Duties:

The ESP-At-Large shall:

- a) Serve as the Chairperson of the ESP Committee
- b) Ensure lines of communications with the ESP Presidents are maintained
- c) Assume such other duties as assigned by the Delegate Assembly, Board of Directors and/or the President

2. Term of Office:

The term of office of the ESP-At-Large shall be three years. The person elected to the office of ESP-At-Large is eligible for two consecutive terms and shall serve until a successor is elected. The term of ESP-At-Large shall begin at the close of the NEA Representative Assembly in the year that the ESP-At-Large election occurred.

3. Vacancy:

If the office of ESP-At-Large becomes vacant, the Board of Directors shall select from among the ESP members of the Board an acting ESP-At-large who shall serve for the remainder of the term or until a required special election is held. If more than half (1/2) of the term remains, a special election shall be held under the direction of the Elections and Credentials Committee to fill the vacancy. The member appointed or elected to the office of ESP-At-Large by special election shall complete the unfulfilled term of the ESP-At-Large.

If the vacancy occurs,

- a) during the first half of the three (3) year term, the member filling the vacancy is eligible to serve one (1) additional term. The first half of the term is defined as eighteen (18) months after a member takes office.
- b) during the second half of the three (3) year term, the member elected to fill the vacancy is eligible for two (2) additional terms. The second half of the term is defined as the eighteen (18) months which begin the day following the eighteen (18) months after the member takes office.

4. **ESP-at-large shall be elected only by all ESP members in Nevada eligible to vote.**

BYLAW PROPOSAL #31

Impact Statement: This proposed amendment will be ruled out of order as it violates current labor agreements and contracts with NSEA staff.

Fiscal Impact: NA

MAKER Jan Giles

ARTICLE IV
SECTION 1. NEW

Amend by addition

The Executive Director is responsible to the Board of Directors, which shall prescribe the duties of the position.

Section 1: Employment Letter

- A. The Executive Director shall be hired and fired by the majority of the NSEA Board of Directors.
- B. The Executive Director shall serve at the discretion of the NSEA Board of Directors.
- C. The Executive Director shall supervise all NSEA staff, who all must reside in the state of Nevada.
- D. The Executive Director shall not enter into contracts with contractors of businesses not located in the state of Nevada without prior approval from the Board of Directors.

BYLAW PROPOSAL #32

Impact Statement: This proposed amendment eliminates the authority of the president to appoint members to the elections committee. This bylaw may be ruled out of order, as there is no other mechanism to appoint members to committees.

Fiscal Impact: None

MAKER Jan Giles

ARTICLE VII
SECTION 1, A

Amend by addition

The Standing Committees of the NSEA, which are appointed by the President, [except for the elections committee as defined in A, 1](#) and approved by the Board of Directors, are as follows:

A. Delegate Assembly Standing Committees

1. Elections and Credentials: The Elections and Credentials Committee is responsible for conducting elections for all officers, constitutional amendments at Delegate Assembly and other NSEA elections as directed by the President or the Board of Directors.

2. Bylaws, Rules, Policies and Resolutions: The Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the Bylaws and Rules and the processing of proposed amendments to the Bylaws and Rules to be considered for action by the Delegate Assembly.

In addition, the Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the NSEA Policies and Resolutions and the processing of changes or proposed amendments to the Policies or Resolutions to be considered by the Board of Directors or Delegate Assembly.

3. Budget Committee: The Budget Committee is responsible for the development and oversight of the NSEA Budget. The Budget Committee shall develop the proposed balanced budget based on the NSEA's strategic plan, core values, mission and vision statements. Prior to each Delegate Assembly preceding the new fiscal year, a proposed balance budget shall be presented to the NSEA Board for recommendation to the Delegate Assembly.

BYLAW PROPOSAL #33

Impact Statement: This proposed amendment will be ruled out of order as it conflicts with a contract between NSEA and NEA. This proposal will require a payment of \$1.4 million to be made immediately to the NEA, placing immense financial strain on the organization.

Fiscal Impact: Due to the NSEA/NEA contract requiring an immediate payment of \$1.4 million, this proposal would equate to a dues increase of \$145.74 per member per year. Further, additional costs will exist to require over 30 local presidents to travel to attend every budget meeting.

MAKER Jan Giles ESEA

ARTICLE VII SECTION 1

Amend by addition

The Standing Committees of the NSEA, which are appointed by the President and approved by the Board of Directors, are as follows:

A. Delegate Assembly Standing Committees

1. Elections and Credentials: The Elections and Credentials Committee is responsible for conducting elections for all officers, constitutional amendments at Delegate Assembly and other NSEA elections as directed by the President or the Board of Directors.

2. Bylaws, Rules, Policies and Resolutions: The Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the Bylaws and Rules and the processing of proposed amendments to the Bylaws and Rules to be considered for action by the Delegate Assembly.

In addition, the Bylaws, Rules, Policies and Resolutions Committee is responsible for the maintenance of the NSEA Policies and Resolutions and the processing of changes or proposed amendments to the Policies or Resolutions to be considered by the Board of Directors or Delegate Assembly.

3. Budget Committee: The Budget Committee is responsible for the development and oversight of the NSEA Budget. The Budget Committee shall develop the proposed balanced budget based on the NSEA's strategic plan, core values, mission, ~~and~~ vision statements- **and must include expenditure line items. All local affiliate Presidents must be invited to budget meetings.** Prior to each Delegate Assembly preceding the new fiscal year, a proposed balance budget shall be presented to the NSEA Board for recommendation to the Delegate Assembly- **and must include expenditure line items.**

BYLAW PROPOSAL #34

Impact statement: This proposed amendment requires Delegate Assembly to alternate between Northern Nevada and Clark County and removes the power of the NSEA Board to select the time and place of Delegate Assembly. No Alternative provision is provided to select a time and place.

Fiscal Impact: None

MAKER Jan Giles ESEA

ARTICLE III
SECTION 1

Amend by

- A. Effective with the 2020 Delegate Assembly, such Delegate Assembly shall be held every two years thereafter. ~~The time and place shall be established by the Board of Directors.~~ Delegate Assembly shall rotate between Northern Nevada and Clark County locations, which shall be established by the Board of Directors.
- B. A majority of the registered delegates shall constitute a quorum for the Delegate Assembly.
- C. The Delegate Assembly is the legislative governing authority of the NSEA. The Assembly shall adopt the budget, amend the bylaws, set NSEA dues for all classes of membership, approve resolutions, and formulate policy statements of the NSEA.
- D. The Delegate Assembly shall receive and consider reports of the officers, Board of Directors, Executive Director and standing or special committees.
- E. Election rules shall be approved by the Delegate Assembly.

BYLAW PROPOSAL #35

Impact statement: This proposed amendment would require that the Board of Directors report that the Executive Directors evaluation has been completed.

Fiscal Impact: NA

MAKER Erica Nungaray

ARTICLE VI
SECTION New

Amend by addition

The Executive Director is responsible to the Board of Directors, which shall prescribe the duties of the position.

Section 1: Certification of Executive Director Evaluation

The Board of Directors shall certify annually to the Delegate Assembly that the required performance evaluation of the Executive Director has been completed in accordance with contractual and policy requirements.

BYLAW PROPOSAL #36

Impact Statement: This proposed amendment has an estimated cost of \$50,000 to \$80,000 to fund separate legal counsel. Please note: 1) existing professional rules of responsibility (i.e. ethics rules) already require licensed attorneys to withdraw in the event of a conflict or suggest additional counsel if necessary, and 2) No legal conflict currently exists that requires this change.

Fiscal Impact: This proposal is estimated to cost \$50,000-80,000 which equates to a dues increase of \$5.15 – \$8.40 per member per year

MAKER Erica Nungaray

ARTICLE IV
SECTION New Section 13

Amend by addition

[Section 13: Legal Counsel Structure](#)

[NSEA shall ensure that legal counsel retained to advise or represent the NSEA Board of Directors in governance, fiduciary, compliance, or organizational matters is separate from legal counsel retained to represent individual members in employment, grievance, arbitration, or disciplinary proceedings.](#)