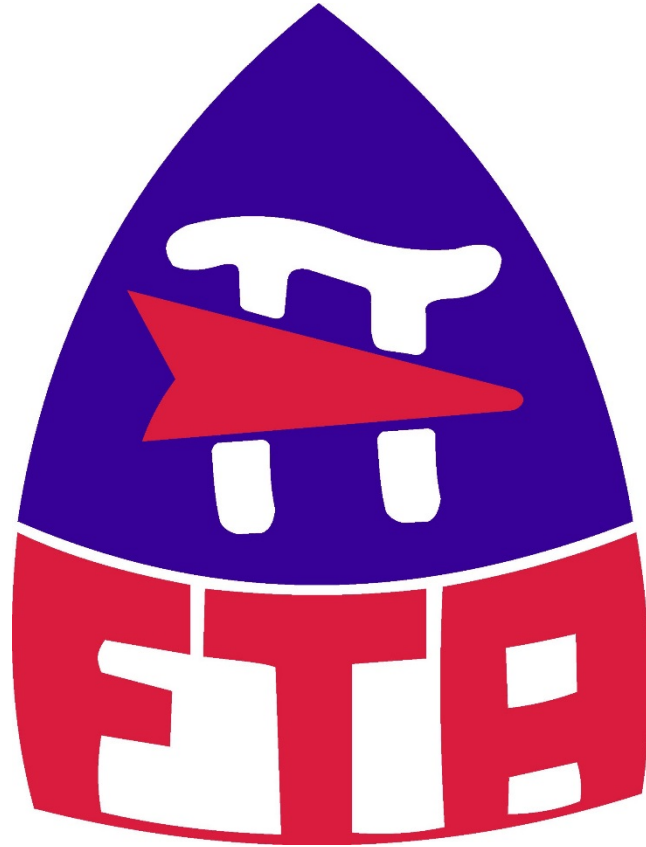


# BYLAWS



**Fresno Teachers Association**

**March 2019**

AMENDED AS A WHOLE  
September 19, 1990,  
The FTA Executive Board  
Recommended a do pass to the  
FTA Representative Council.  
October 15, 1990, approved by the  
FTA Representative Council.

Amended September 16, 1991

Amended March 8, 1993

Amended May 20, 1996

Amended December 13, 1999

Amended February 14, 2000

Amended May 13, 2002

Revised June, 2003

Amended May 16, 2005

AMENDED AS A WHOLE  
October 3, 2005,  
the FTA Executive Board  
recommended a do pass to the  
FTA Representative Council.  
October 11, 2004, approved by the  
FTA Representative Council.

Amended November 14, 2005

Amended December 12, 2005

Amended PAC Dues May 12, 2008

Amended December 14, 2009

Amended November 7, 2011

Amended May 11, 2015

Amended October 8, 2018

Amended March 11, 2019

FRESNO TEACHERS ASSOCIATION  
BYLAWS

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## REQUIREMENTS FOR CHAPTER GOVERNANCE DOCUMENTS

**BYLAWS****Fresno Teachers Association/CTA/NEA****I. NAME AND LOCATION**

Pursuant to the Articles of Incorporation (effective February 1965 and revised October 15, 1990) the official name of this Association shall be the Fresno Teachers Association (FTA), located in Fresno County, and affiliated with the California Teachers Association (CTA) and the National Education Association (NEA).

**II. PURPOSES**

The primary purposes and powers of this Association are set forth in the FTA Articles of Incorporation and as further defined shall be:

- A. To represent its dues-paying members in their relations with their employer, and to seek to be the exclusive representative of appropriate units of school employees in all matters relating to employment conditions and employer-employee relations including, but not limited to, wages, hours, and other terms and conditions of employment;
- B. To form a representative body capable of developing group opinion on professional matters to speak with authority for dues-paying members;
- C. To provide an opportunity for continuous study and action on problems of the profession;
- D. To promote cooperation and communication between education support professionals and certificated educators;
- E. To provide a means of representation for its ethnic-minority, dues-paying members;
- F. To promote professional attitudes and ethical conduct among dues-paying members (Refer to NEA Code of Ethics Addendum #1);
- G. To encourage cooperation and communication between the profession and the community; and
- H. To foster good fellowship among dues-paying members.

**III. AFFILIATION WITH CTA/NEA**

- A. The Fresno Teachers Association shall be a chartered chapter of the California Teachers Association (CTA) (effective March 1951).
- B. The Fresno Teachers Association shall be an affiliate local association of the National Education Association (NEA);

**IV. MEMBERSHIP**

- A. The primary category of membership shall be Active dues-paying members.
- B. Active dues-paying membership shall be open to any person who is engaged in or who is on limited leave of absence from professional educational work, is an employee of Fresno Unified School District, and whose primary assignment is such as not to hold evaluative responsibility over other employees to such an extent as not to be represented in the negotiations process by the bargaining unit.

- C. Membership may be granted upon initiation of payroll deduction or upon payment of annual Association/CTA/NEA dues.
  - D. The right to vote and to hold elective office or appointive position within the Association shall be limited to Active dues-paying members.
  - E. Active dues-paying members shall be eligible to receive special services, obtain assistance in the protection of professional and civil rights, and receive reports and publications of the Association.
  - F. Active dues-paying members shall adhere to The Code of Ethics of the Education Profession.
  - G. The rights to and privileges of dues-paying membership shall not be abridged in any way because of age, sex, race, color, ethnic group, marital status, national origin or sexual orientation.
  - H. No dues-paying member of the Association may be disciplined by the chapter without due process. Due process includes the right to select representation, to present evidence on his/her behalf, to confront and cross-examine his/her accuser and any other witnesses against him/her, and to examine and refute all evidence considered by the hearing panel, whether or not such evidence is presented at a hearing. The dues-paying member has the right to appeal the decision of the hearing panel to the governing body.
  - I. The dues-paying membership year shall be that period of time from September 1 of any given calendar year through August 31 of the following calendar year, inclusive
  - J. Unless otherwise expressly provided by law, persons who tender agency fees shall have no rights or privileges within this Association.
  - K. Retired membership is available to FTA members through CTA/NEA only and shall not be eligible to vote or to hold Association offices.
- V. DUES, FEES, AND ASSESSMENTS**
- A. The dues index for all classes of membership will be recommended by the Executive Board and determined by the Representative Council, during the annual budget approval process. The basic annual dues level for Active dues-paying members, and representation fee for non-members represented in the bargaining unit, shall be sufficient to cover the operation expenses of the Association, the dues of CTA, and the dues of NEA.
  - B. A notice of intent to change the dues index will be given to the general dues-paying membership 30 days prior to action by the Representative Council.
  - C. Dues shall be paid through payroll deduction shall be from Oct. to July of each school year.
  - D. Members paying their annual dues in cash will make such payment in full to the Association's office on or before October 15 of each year in order to maintain continuous membership in the Association (if by October 31 of any calendar year a member has neither paid the established annual membership dues for the current membership year, nor made satisfactory arrangements for payment, the person's membership shall be considered delinquent and the category/class will revert to Agency/Service Fee Payer). Dues-paying Members who pay their dues by payroll deduction and who do not cancel that method of payment by October 1 will be considered as having committed themselves to that method of payment for the subsequent year thus maintaining continuous dues-paying membership in the Association;
  - E. The Association will accept the payment of dues from persons eligible for membership who wish to become a dues-paying member after November 15 of any given year by payment of dues through payroll deductions. Such dues will be in an amount determined by the number of regular deductions remaining to be withheld from the employee's pay warrants from the time of joining though the remainder of the membership year.

F. Negotiated Agency/Service Fee Payer dues will be apportioned on the same percentage basis as the full FTA/CTA/NEA dues.

**G. FTA-PAC**

1. Effective with the 2008-2009 school year there will be a three-dollar (\$3.00 – reverse check-off) per month assessment for the FTA-PAC added to the indexed dues for the ten (10) month traditional school year. (Amended May 12, 2008);
2. Any dues-paying member who elects, on or before October 30 of any year, that no part of his/her assessment shall be allocated to such fund shall notify the Association in writing of his/her election and no part of such assessment shall be allocated to the FTA-PAC (adopted May 20, 1996);
3. Any dues-paying member who elects not to have his/her assessment paid to the FTA-PAC will have his/her assessment allocated in full to the Association's general fund for the general purpose budget (adopted May 20, 1996);
4. Membership in and the Governance of FTA-PAC are defined in the FTA-PAC By-laws.

**VI. POLICY-MAKING BODY –REPRESENTATIVE COUNCIL**

- A.** The policy-making body of the Association shall be the Representative Council. The Representative Council, comprised of Active dues-paying members of the Association, derives its powers from and shall be responsible to the Active dues-paying membership.
- B.** The Representative Council shall be composed of the following Active members:
1. Voting dues-paying members of the Executive Board;
  2. Representatives elected on the basis of one-person one-vote;
- C.** Powers of the Representative Council, but are not limited to the following:
1. Establish Association policies and include objectives;
  2. Adopt the annual budget of the Association on or before the first meeting of the school year and amend as needed throughout the school year.
  3. Establish the dues of the Association;
  4. Except for its power to make a decision on the budget and setting of the dues index, the Representative Council may, by majority vote, delegate its power to make a decision on a given matter by referring any business item to a vote of the general dues-paying membership of the Association. Such a vote may be conducted at a general meeting of the dues-paying membership, conducted in conformance with the provisions of Article VI of these Bylaws, or by means of a plebiscite or referendum vote. Any such vote carried out will be conducted by the FTA Elections Committee at a time determined by the Representative Council and will require a majority of those voting to pass. The results of such a vote will be binding upon the Association. The Representative Council has the exclusive right to conduct such a binding vote, with the exception of contract ratification; and
  5. The power to initiate an information vote, ballot, poll, survey, census, tally, ticket, will, choice, etc., of the total dues-paying membership. The ballot for such a survey will carry a prominent disclaimer to the effect that the results are intended for informational purposes only, and will not be binding on the Association.

- D. The Representative Council shall meet at least once during each full school month; the exact number, place and time of meetings to be decided by the Executive Board.
- E. Notices and agendas for all meetings of the Representative Council shall be sent to all dues-paying members of the Representative Council at least 7 days prior to the date of the meeting.
- F. Special (or emergency) meetings of the Representative Council may be called by the President, a majority vote of a quorum of the Executive Board, a majority vote of a quorum of the Representative Council or by written petition of one-third (1/3) of the Representative Council.
- G. Special meetings of the Representative Council shall be called for a specific purpose and no business other than that for which the meeting is called may be transacted.
- H. For emergency meetings of the Representative Council during crisis situations, the Executive Board shall adopt procedures to notify representatives of meeting dates, places, and times.
- I. A quorum for all meetings of the Representative Council shall consist of a majority (greater than 50%) of all voting dues-paying members of the Representative Council.
- J. Dues-paying Members of the Representative Council shall serve a term of one year to begin on July 1 and end on June 30. (There are no term limits on faculty representatives.)

#### **VII. FACULTY/SITE/SITE-UNIT REPRESENTATIVES**

- A. Representatives shall be elected by and from the Active dues-paying membership for each faculty group. Such election shall be by open nominations and by secret ballot.
- B. Representatives shall serve a term of one year.
- C. Each faculty, site or site unit shall be entitled to at least one representative and shall have one representative for each 25 Active dues-paying members on the staff, or fraction thereof.
- D. Active dues-paying members who are not represented through an individual school group shall be counted as a special faculty group entitled to the same representation on the Representative Council as individual school faculty groups.
- E. Vacancies: Vacancies in the office of Representative for whatever cause may be filled by properly elected replacements.
- F. Representatives shall:
  - 1. Conduct constant and ongoing liaison between the Representative Council and the Active dues-paying members of the faculty/site unit;
  - 2. Serve as the official channel through which written communications and publications can be easily and quickly transmitted between the Association and the dues-paying members;
  - 3. Represent the views and input of the Active dues-paying membership in votes taken in the Representative Council, conducting frequent and regular polls of such dues-paying membership for this purpose; and
  - 4. Perform such additional duties as prescribed by the Executive Board.
- G. A Representative shall not conduct an election in which he/she is a candidate.

#### **VIII. OFFICERS**

- A. The officers of the Association shall be a President, a Vice-President, a Secretary, and a Treasurer.
- B. These officers shall be and remain currently paid-up local, state, and national (Active) dues-paying members as a condition for nomination to and service in their respective positions during their terms of office.
- C. These officers shall be elected by and from the Active dues-paying membership of the Association. Such election shall be by open nominations and secret ballot.

- D. Regular active employment at the time of election and during tenure in office and dues-paying membership in the bargaining unit will be required of elected officers and directors-at-large of the association. Full time release president will be considered a regular active employee.
- E. Officers shall be elected for a term of 2 years in duration, but cannot serve more than four (4) consecutive two (2) year terms in the same position, elected in the even years, with the term commencing on July 1 of any calendar year.
- F. A vacancy shall be deemed to exist in the case of death, resignation, or inability to serve in any of the offices of the Association. If there is a vacancy occurring in the office of the President, the Vice-President shall assume the office. In the event a vacancy occurs in the other offices, a special election shall be held to elect successors to fill the unexpired terms.
- G. The President shall be the chief executive officer of the Fresno Teachers Association and its policy leader. The President shall:
  - 1. Preside at all meetings of the Association, the Representative Council and Executive Board;
  - 2. With the assistance from professional staff, prepare the agenda for the meetings of the Association, the Representative Council and the Executive Board;
  - 3. Serve as the official spokesperson for the Association;
  - 4. Serve as a non-voting, ex-officio dues-paying member of all Association committees, with the exception that he/she will not serve on the Elections Committee;
  - 5. Be familiar with the governance documents of the FTA, CTA, and NEA;
  - 6. Appoint all committee chairpersons and approve dues-paying members of committees with the approval of the Executive Board at the beginning of each school year;
  - 7. Appoint the chairperson and dues-paying members of the Negotiations Team with the approval of the Executive Board at the beginning of each school year;
  - 8. Call regular and/or special meetings of the Association, Representative Council and the Executive Board with at least 48 hours notice;
  - 9. Propose the procedures for grievance processing for ratification by the Executive Board and the Representative Council;
  - 10. Suggest policies, plans and activities for the Association and be held responsible for the progress and work of the Association;
  - 11. Attend the meetings of the CTA State Council of Education and the Fresno Madera Service Center Council;
  - 12. Attend other CTA/NEA meetings as directed by the Representative Council.
  - 13. Attend the meetings of the Fresno Unified School District Board of Education and prepare and present Association positions, when appropriate;
- H. The Vice-President shall:
  - 1. Serve as assistant to the President in all duties of the President;
  - 2. Assume the duties of the President in the absence of the President;
  - 3. Be responsible for the formation and distribution of the Association's calendar of activities;
  - 4. Serve as coordinator of committee activities at the direction of the President
  - 5. Serve as liaison to the Bylaws, Standing Rules and Policies Committee;
  - 6. Perform other such duties as may be assigned by the President under the provisions of these Bylaws.
- I. The Secretary shall:



1. Be responsible that careful and accurate records of the proceedings of each meeting, regular or special, of the Association, Representative Council, and the Executive Board be kept;
2. Be responsible for the distribution of minutes, notice of meetings, and agendas for all meetings to dues-paying members of the Representative Council and Executive Board; and to the dues-paying membership when appropriate;
3. Keep an accurate roster of the dues-paying membership of the Association and of all committees;
4. Serve as liaison to committee(s) at the direction of the President;
5. Perform other such duties as may be assigned by the President under the provisions of these Bylaws;
6. Carry on the correspondence pertaining to the affairs of the Association as directed by the President.

**J. The Treasurer shall:**

1. In conjunction with designated staff, prepare and present the Association's proposed annual budget to the Executive Board;
2. Receive all funds belonging to the Association and be responsible for their safekeeping and accounting;
3. Pay out such funds upon orders of the President;
4. Provide a written financial report for each regular meeting of the Representative Council and Executive Board;
5. Be responsible for an annual audit of the books of the Association and distributing a summary of this audit to the dues-paying membership;
6. Be responsible for submitting dues-paying membership and financial reports to CTA, NEA, and other agencies as required by law;
7. Develop such other financial reports as may be required by the Executive Board or the Representative Council;
8. Oversee checking, savings, and all other accounts; and see that transfers and withdrawals in excess of one hundred thousand (\$100,000.00 (exclusive of dues transmittal checks to CTA) require two (2) original signatures and the approval of the Executive Board; and
9. Will perform other such duties as may be assigned by the President under the provisions of these Bylaws.

**IX. EXECUTIVE BOARD**

The Executive Board of this Association will exercise all the appropriate powers of the Association subject to the restrictions provided by state and federal law, and by these Bylaws, and subject to the policies established by the Representative Council.

- A.** The Executive Board shall be composed of the elected officers and 6 dues-paying members elected at large from the Active dues-paying membership, as long as this complies with the "one-person – one-vote" rule. (CTA/NEA rules require that elected persons serve in elective governance positions. Therefore, when a vacancy occurs, a special election is the only way the electorate has to ensure that the office will be filled by a person representing a majority of the electorate.)

1. The elected officers are President, Vice-President, Secretary, and Treasurer;

2. Six (6) Directors-at-Large (who represent the entire dues-paying membership) and one additional racial and ethnic Minority Director, if no such minority is already serving on the Executive Board;
  3. The Executive Director shall serve as an ex-officio member without voting powers. The Associate Director(s) may also serve as ex-officio member(s) without voting powers.
  4. No executive board dues-paying member shall simultaneously hold a site representative position.
- B.** All dues-paying members of the Executive Board shall be and remain currently paid-up local, state, and national (Active) dues-paying members as a condition for nomination to and service in this position.
  - C.** The at-large dues-paying members of the Executive Board shall be elected with open nominations and by secret ballot. The election shall be determined by a plurality of the votes.
  - D.** The at-large dues-paying members shall be elected for a term of 2 years in duration, but cannot serve more than four (4) consecutive, two (2) year terms, elected in the odd years with the term commencing on July 1 of any calendar year.
  - E.** A vacancy in a director-at-large position shall be declared to exist by the official action of the Executive Board in the case of death, resignation, inability to serve in this position, or is absent from regularly scheduled meetings of the Board three (3) consecutive times or four (4) total during any one year in office. If there is a vacancy occurring, a special election to fill the vacancy shall be held within thirty days.
  - F.** Before the beginning of each traditional school year, the Executive Board will set a calendar of regular meetings for that school year. Agendas of all regular meetings will be sent to Executive Board Members one week in advance.
  - G.** The Executive Board shall meet at least once each month prior to each regular meeting of the Representative Council and at such other times as the President may deem necessary, or upon written petition of a majority of the voting dues-paying members of the Executive Board to the President.
  - H.** A quorum for all meetings of the Executive Board shall consist of a majority of the elected dues-paying members of that body, all dues-paying members having been duly notified. There shall be no voting by proxy at meetings of the executive board.
  - I.** Executive Board meetings (regular or specially called) will be open to the dues-paying members of the Association, except during an executive session of those meetings.
  - J.** The Executive Board may move into executive session when called for by the President or by the majority of the executive board. Voting on items from Executive Session will be done in the open session and recorded in the Executive Board minutes, except when dealing with sensitive employment, bargaining, contract, or other legal issues. Executive session minutes will be kept for the internal Executive Board use only.
  - K.** The duties and the responsibilities of the Executive Board are:
    1. Coordinate the activities of the Association;
    2. Act for the Representative Council when school is not in session, except they may not do any of the following:
      - a. Adopt and/or amend the Articles of Incorporation
      - b. Adopt and/or amend the Association's Bylaws
      - c. Adopt the Association's Annual Budget; and

- d. Set the membership dues index;
3. Direct the bargaining activities of the Association, subject to policies established by the Representative Council;
4. Approve by majority vote appointment and by two-thirds (2/3) vote removal of bargaining team dues-paying members;
5. Approve by majority vote all appointment and removal of committee dues-paying members, including chairpersons.
6. Recommend a budget for the Association to the Representative Council;
7. Adopt and/or amend the Standing Rules for the Association;
8. Adopt grievance procedure;
9. Direct the grievance activities of the Association.
10. The recommendation of policies and goals to the Rep Council for their approval;
11. Attend all the meetings of the Representative Council with voting status;
12. The responsibility of recommending the membership dues index to the Rep Council, which determines the amount of dues with the provisions of Part V of these Bylaws;
13. Exercise all the business and organizational powers and duties for the Association as prescribed by law and these bylaws, subject to any restrictions that may be imposed by the Representative Council.

**X. MEETINGS OF THE GENERAL MEMBERSHIP:**

- A. Meetings of the Association may be called by the President, the Executive Board, two-thirds (2/3) vote of the Representative Council or by written petition of twenty percent (20%) of the Active dues-paying membership.
- B. Notices of the Association meetings including date, place, time, and purpose of the meeting shall be made available to all dues-paying members of the Association at least two days before the meeting except during crisis situations.
- C. For emergency meetings during crisis situations, the Executive Board shall adopt procedures to notify the Association dues-paying membership of meeting dates, places and times.
- D. A quorum for meetings of the Association shall be 25 percent of the Active dues-paying membership.

**XI. BARGAINING TEAM**

- A. The duties of the Bargaining Team are to represent and to bargain for all bargaining unit dues-paying members.
- B. The President shall appoint all dues-paying members, alternates, and the chairperson of the Bargaining Team with the concurrence of the Executive Board.
- C. Vacancies created by resignation or inability to serve shall be filled by the Executive Board from the list of alternates.
- D. The Executive Board, by two-thirds (2/3) vote, may remove a dues-paying member of the Bargaining Team.
- E. Responsibility and authority for directing the bargaining process on behalf of the Association are vested in the Executive Board subject to policies established by the Representative Council. The Executive Board is distinct from the Bargaining Team.

- F. Employees in each appropriate bargaining unit shall be surveyed to determine contents of the proposed contract demands, and the contract proposal for each appropriate unit shall be approved by the Representative Council in that unit.
- G. The Bargaining Team shall report its activities to the Executive Board as the Board requires.
- H. The Executive Board shall provide for the dissemination of information regarding bargaining and the activities of the Bargaining Team to the general dues-paying membership.
- I. The Bargaining Team is empowered to reach tentative agreements with the district. Such agreements shall be considered tentative and not binding upon the Association until such agreements have been ratified by the dues-paying membership in the appropriate unit(s) unless such ratification shall have been specifically waived or otherwise delegated by that active dues-paying membership.

## **XII. GRIEVANCE PROCESSING - Article 19 of the Collective Bargaining Agreement**

- A. The Executive Board shall adopt, with the approval of the Representative Council, the procedures for grievance processing.
- B. These procedures shall include, but not be limited to, the following:
  1. Provide for representation to assist all dues-paying members of the bargaining unit(s) in processing grievances;
  2. Training for handling grievances; and
  3. Evaluation of the Association's grievance policies and procedures.

## **XIII. NOMINATIONS AND ELECTIONS**

The Chapter shall follow and dues-paying members are entitled to the rights contained in the CTA Requirements for Chapter Election Procedures published annually with the CTA Elections Manual. The chapter president must provide Active dues-paying members an opportunity to vote in all elections. Chapter presidents do not have the option of deciding that such elections shall not be held.

- A. The Elections Committee and Chairperson shall be appointed by the president and approved by the Executive Board to which it is responsible at the beginning of each school year. The duties of the Elections Committee shall be to:
  1. Ensure that all Association/CTA/NEA election codes and timelines are followed;
  2. Establish election timelines;
  3. Develop and carry out timelines and procedures;
  4. Prepare ballots for election of officers and such other elections as may be necessary;
  5. Count the ballots and certify the results; and
  6. Handle initial challenges.
- B. Elections shall be conducted with:
  1. Open nomination procedure;
  2. Secret ballot;
  3. All Active dues-paying member vote;
  4. Record of voters receiving or casting ballots; and
  5. Majority vote, unless otherwise specified.
- C. State Council Representative elections shall be conducted in accordance with CTA rules after the chapter or Service Center Council has been notified to do so by the CTA Elections and Credentials Committee.

D. NEA State Delegate elections shall be conducted in accordance with CTA/NEA rules.

E. NEA Local Delegate elections shall be conducted in accordance with CTA/NEA rules.

#### **XIV. COMMITTEES**

A. The permanent standing committees of the Fresno Teachers Association will be:

1. Elections and

2. Negotiations Team.

B. Committees, except as otherwise provided in these bylaws, shall be established and discontinued by the Executive Board, subject to approval by the Representative Council.

C. The Association shall maintain such other Standing and Special Committees as are specified in the Standing Rules.

D. Each committee shall submit periodic reports to the Executive Board and Representative Council.

#### **XV. STANDING RULES**

The Executive Board of the Association, acting by majority vote of a quorum of its dues-paying members, will have the power to adopt and, from time to time, to amend such rules and regulations pertaining to the purpose, activities, and affairs of the Association as it deems necessary and desirable provided that such rules and regulations do not conflict with the provisions of law or with those of the Articles of Incorporation or these Bylaws.

#### **XVI. PARLIAMENTARY AUTHORITY**

Robert's Rules of Order, latest edition, shall be followed at all meetings of the Association, the Representative Council, and the Executive Board.

#### **XVII. EMPLOYMENT RESTRICTIONS**

A. No Officer or Director-at-Large shall be eligible to apply for any staff or Uniserv position at Fresno Teachers Association for one term (two years) after his/her last day in office.

#### **XVIII. AMENDMENTS PROCEDURES**

These Bylaws may only be amended by a two-thirds (2/3) vote of the representatives at any regular or special meeting of the Representative Council. Notice in writing of a proposed Bylaws amendment shall have been submitted to the Secretary and provided to dues-paying members of the Representative Council at the meeting preceding the one at which it is to be voted upon.

## NEA CODE OF ETHICS

### PREAMBLE

The Educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the dues-paying members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designated by the NEA or its affiliates.

### PRINCIPLE I Commitments to the Student

The educator strives to help each student realize his or her potential as a worthy and effective dues-paying member of society. The educator therefore works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religious beliefs, family, social or cultural background, or sexual orientation, unfairly:
  - a. Exclude any student from participation in any program
  - b. Deny benefits to any student
  - c. Grant any advantage to any student.
7. Shall not use professional relationship with students for private advantage.
8. Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

## **PRINCIPLE 2 Commitments to the Profession**

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation to the profession, the educator:

1. Shall not in an application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
2. Shall not misrepresent his/her professional qualifications.
3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
5. Shall not assist a non-educator in the unauthorized practice of teaching.
6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
7. Shall not knowingly make false or malicious statements about a colleague
8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

Adopted by the 1975 NEA

Representative Assembly