



April 19, 2022

NOTICE OF HEARING

TO: All Members and Former Officers and Executive Board Members of the Arlington Education Association

On March 30, 2022, the NEA Executive Committee appointed a trustee to take immediate charge and control of the affairs of the Arlington Education Association (“AEA”), after determining that an emergency situation existed within AEA. This action was taken pursuant to the NEA Executive Committee’s express authority under NEA Bylaw 8-12(g) and in response to the request of the highest governing body of the AEA – the AEA Delegate Assembly, which both removed all AEA Executive Board members and requested that NEA impose an immediate protective trusteeship over AEA in order “to restore democratic procedures” in the local.

Since the NEA trusteeship was instituted on March 30, 2022, the offices of AEA have been secured, a full financial review of AEA’s books and records has begun, comprehensive efforts are underway to secure all the books and records and property of AEA for the members of AEA, and ballots for the regularly scheduled April 2022 elections have been distributed. It is the intent of the NEA Executive Committee to limit the AEA trusteeship to as short a duration as possible, consistent with ensuring the conclusion of a fair election process and an orderly transition to the newly elected slate of officers in AEA.

In accordance with NEA Bylaw 8-12(c), the NEA Board of Directors has adopted the attached rules of procedure for a hearing on the emergency trusteeship and has authorized an eleven member subcommittee of the NEA Board of Directors, members just like you from across the country, to preside over that hearing and make a recommendation regarding the trusteeship to the NEA Board of Directors.

The hearing will address the facts that served as the basis for imposition of the emergency trusteeship, as well as the question of whether the trusteeship should continue.

All AEA members may observe the hearing, have the right to present testimony and other evidence, and have the right to state their positions on the need for a continued trusteeship.

The hearing will be conducted on May 19th via videoconference as detailed below.

Hearing Date: Thursday, May 19, 2022

Hearing Time: 6 p.m. ET until recessed by Hearing Chair

Hearing Format and Procedure are detailed below.

Hearing Registration: Only the NEA Trustees or representatives, AEA Delegate Assembly Spokesperson, AEA members and the two highest former AEA officers who remain AEA members, may register to participate in the hearing by using this link.

<https://nea-org.zoom.us/meeting/register/tJYvfuGvpjwoHtfyY59-PvQsKqsxpW8mmMkI>

After registering, you will receive a confirmation email containing information about joining the meeting.

Please direct any questions you have to AEA Trustees Beblon Parks and Cheri James at the following emails:

- Beblon Parks, aeatrustee1@gmail.com, and
- Cheri James, aeatrustee2@gmail.com

NEA BOARD RULES OF PROCEDURE FOR HEARING

REGARDING REVIEW OF A TRUSTEESHIP

1. Any hearing on an NEA trusteeship shall be initially heard by a committee of the NEA Board, comprised of eleven Board members. The members and chair of the committee shall be appointed by the NEA President, subject to approval by the NEA Board.
2. The official parties in an emergency trusteeship hearing are (i) the NEA Executive Committee, as represented by the Trustee(s) appointed to take immediate charge of an affiliate, and (ii) the highest governing body of the affiliate that meets more than twice a year, should it choose to participate. If that body of the affiliate chooses to participate, it must, by majority vote, designate a spokesperson to represent it at the hearing. If that body votes to designate a spokesperson, it must notify the Hearing Chair of their designation no later than one week before the hearing, by emailing the Hearing Chair's counsel in the NEA Office of General Counsel. Only official parties may call and present witness testimony, and cross-examine witnesses called by other official parties.
3. If the highest governing body of the affiliate as defined above does not designate a spokesperson to represent it at the hearing, the NEA Executive Committee will be the only official party in the proceeding. In this case, the members of the affiliate's highest governing body as defined above will have an opportunity to comment on the trusteeship during the time set aside for affiliate member comments described in paragraph 12 below.

4. The hearing will be held virtually via videoconference. Except as provided above, and unless otherwise approved by the Hearing Chair, only members of the affiliate under trusteeship, the trustees of that affiliate, the members of the Board hearing committee, assigned NEA staff, counsel to the Hearing Chair, and counsel to the official parties and their spokesperson(s) (if any) may attend the hearing. A non-member may speak to a particular issue only if called as a witness by an official party, and only during his or her testimony. All persons attending the hearing shall be signed-in. If anyone is aware of anyone present in the virtual hearing room who does not meet these criteria for participation, they should immediately bring that to the attention of the Hearing Chair.
5. NEA shall record the hearing, and the NEA recording shall serve as the official transcript of the hearing. No other means of audio recording, video recording or photography will be permitted. The NEA recording is for the Hearing Chair's use in making the report and recommendation to the NEA Board, and will be available to the official parties at their expense. An official party who wishes to obtain a copy of the recording may contact NEA.
6. The hearing is informal and is not intended to be a formal legal proceeding. It is not necessary for a party to be represented by an attorney in order to participate. However, the Hearing Chair will permit counsel to the official parties to be present in this proceeding.
7. All participants wishing to submit documents in support or in opposition to the trusteeship shall submit such documentation by no later than 5 p.m. on the day prior to the trusteeship hearing. The Hearing Chair may waive this requirement upon a showing of good cause for the delay in submission.
8. The Trustees may present or designate a spokesperson to present the reasons why the trusteeship was properly imposed and should be continued.
9. The Trustees or their spokesperson shall be allowed an opportunity to give an opening statement at the commencement of the hearing, and a summation of their presentation at the conclusion of the hearing.
10. The Trustees or their spokesperson shall present first, including any witnesses and evidence, on why the trusteeship was imposed properly and should be continued. The Hearing Chair or their counsel may question any of these witnesses, and the members of the Board subcommittee, through the Hearing Chair, may do so as well. The Hearing Chair may also allow the spokesperson additional opportunities for questioning the witnesses. All witness statements and testimony will be provided under oath.

11. After the official parties have completed their presentations, the two highest executive officers in place at the time the affiliate requested, or NEA imposed, an emergency trusteeship, and who remain members, may speak for up to 20 minutes each on the two central issues in the hearing – namely, whether the trusteeship was validly imposed and whether it should be continued.
12. After any such testimony by the highest former executive officers of the affiliate, members of the affiliate under trusteeship may state their views on the two central issues in the hearing – whether the trusteeship was imposed properly and whether continuation of the trusteeship is justified – by speaking on the record for no more than two (2) minutes per member. **Members wishing to speak shall indicate their desire to do so when requesting access to the online platform, by notifying NEA by no later than 5 p.m. on the day prior to the hearing. In lieu of speaking, members may submit written comments on the trusteeship by no later than 5 p.m. on the day prior to the hearing.** Each person shall identify themselves at the beginning of the presentation. Only the Hearing Chair or their counsel may question any member speakers.
13. The Hearing Chair may set reasonable time limits on the presentation of evidence and may make any other rulings they deem appropriate to assure an orderly, full and fair hearing, and for the purpose of completing the hearing in the time scheduled. Documents and testimony will be taken into evidence as deemed appropriate by the Hearing Chair.
14. The Hearing Chair reserves the right to exclude testimony that is irrelevant or inappropriate and to limit testimony that is undisputed, unnecessary, cumulative or duplicative of other evidence.
15. If any spokesperson intends to offer written materials, they shall be emailed to counsel for the Hearing Chair by no later than 5 p.m. two days prior to the hearing.
16. The Hearing Chair may leave the record open for a period of time following the close of the hearing for the receipt of supplemental materials from the official parties. The period of time within which to submit supplemental materials and statements will be announced by the Hearing Chair before the end of the hearing.
17. Following the close of the record, the committee will make a report and recommendation to the NEA Board, orally and/or in writing, including recommendations as to whether the emergency trusteeship was properly imposed and whether it should be continued. The NEA Board will thereafter render its decision on the committee's report and recommendations, pursuant to its authority under NEA Bylaw 8-12(c).