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The Kentucky Education Association is the preeminent voice for quality public education.

We unite, organize and empower members to advocate for themselves and to ensure a quality public education for every Kentucky student.

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Dear Member,

Participation, not abdication, is the easy choice for all Kentuckians, not just teachers

KEA statement on NEA NBI 56 (2019)

Each year, KEA members are elected by their peers to participate as delegates to NEA's annual Representative Assembly (NEA RA). They do this with other NEA members elected from other state and federal affiliates; at the 2019 NEA Representative Assembly, there were approximately 8,000 delegates in all. Although the location varies from year to year, the activity of every NEA RA is essentially the same: to allow individual NEA members to elect their leaders, to voice their concerns about issues relevant to public education and, through the will of the majority of delegates, to direct the work of the NEA during the subsequent year. Those voices manifest in "New Business Items," which are proposed by individual members or by groups of members and put before the body for consideration. Each year, more than 100 New Business Items are written down, distributed to the assembly, debated, and voted upon by the whole.

Just as every member of the Kentucky General Assembly doesn't agree with every piece of legislation passed by that body, the individual delegates to the NEA RA don't uniformly agree with each NBI. That was particularly true this past July, when a delegate from California submitted NBI 56 for consideration by the body. That NBI started out by expressing support for the #MeToo movement and for "a person's right to control their own body." Given that majority of public school educators are women, those statements in NBI 56 were neither surprising nor particularly controversial. It was the last statement in the NBI, which required NEA to "vigorously oppose all attacks on the right to choose and stand on the fundamental right to abortion under *Roe v. Wade*," that caused problems.

Many delegates to the 2019 NEA RA were vehemently opposed to NBI 56. The Kentucky delegation, a group of more than 100 student, active and retired educators, was among that number. The Kentucky delegates opposed NBI 56 for two reasons: first, many KEA members oppose abortion and the Kentucky delegates understand that and honor the deeply-held beliefs of their colleagues; and second, most of the Kentucky delegation does not view abortion as an education issue, but rather, as a social issue outside the scope of KEA's and NEA's mission.

There was extended debate on the floor about NBI 56, which ultimately passed by a voice vote. It absolutely was not unanimous, and every member of the Kentucky delegation voted against it. Although the Kentucky delegation and many other NEA members were bitterly disappointed by the passage

of NBI 56, not a single Kentucky delegate dropped their membership because of it. To the contrary, KEA members understand that the democratic nature of their organization presents opportunities to shape policy at both the state and national levels. They intend to continue to participate in KEA and NEA's democratic processes and have their voices heard on this issue and others.

KEA members also know there is much more to the story than just NBI 56. For many years, NEA has had a policy statement in favor of "reproductive freedom," which includes the right to choose to have children. In fact, using the right of privacy established by a long line of Supreme Court cases including the now-infamous Roe v. Wade, NEA has helped many of its members defend their right to choose life and to protect them from official reprisal based on decisions about their personal lives.

For example:

- Jeanne Eckmann was a teacher who had studied to be a nun and taught the right-to-life doctrine at a St. Louis Catholic school for six years. Ms. Eckmann was raped while returning from a religious retreat and became pregnant. She informed her superintendent, who first told her to "keep quiet," and later asked her to resign. When she declined to do so, the superintendent initiated termination proceedings on the grounds of "immorality." With the help of NEA and the Illinois Education Association, Ms. Eckmann won a multi-million dollar verdict based on the trial court's judgment that the "right to choose" protected by Roe includes the right to choose to have a child, too.
- Ms. Avery was an unmarried teacher in rural Alabama who got pregnant as the result of a consensual relationship. She chose to keep her child. She was also fired for immorality, and NEA again relied on the holding in Roe to protect her right to reproductive freedom by choosing not to have an abortion.
- Linda Littlejohn was an NEA member from Kentucky who got non-renewed for getting a divorce. With NEA's help, she sued in federal court, ultimately winning a favorable opinion from the Sixth Circuit, which cited Roe in its opinion. The court stated, "matters relating to marriage and family relationships involve privacy rights that are constitutionally protected against unwarranted governmental interference . . . "

Although our detractors would certainly have you believe otherwise, these examples and others prove that KEA and NEA have always taken a much broader approach to the "right to choose" than limiting it to the issue of abortion.

Simply put, KEA never has, and never will, take a position on the question of abortion. It is a personal decision well outside the scope of our mission. We do not now and never have asked candidates for office any question about the issue. We do not make endorsement decisions on that basis. It is simply not part of our work.

KEA's mission is to "unite, organize and empower our members to advocate for themselves and to ensure a quality public education for every Kentucky student." One of the important lessons those students will learn is this: inherent in all democracies is an unfortunate problem, which is that the will of the majority never accurately reflects the will of every participant in the process. But continued participation, not abdication, is always the answer.

Sincerely,

Eddie Campbell

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