



NEA Representative Assembly, July 2009

<http://www.nea.org/grants/33354.htm>

NEW BUSINESS ITEM E - ADOPTED (HOMOSEXUAL UNIONS)

Resolutions B-13 (Racism, Sexism, Sexual Orientation, and Gender Identification Discrimination) and I-13 (Civil Rights) set forth NEA's opposition to the discriminatory treatment of same-sex couples and its belief that such couples should have the same legal rights and benefits as similarly-situated heterosexual couples. The Legislative Program is in accord: NEA supports "obtaining, preserving, and strengthening basic civil and human rights under law," and specifically calls for "passage of a federal statute prohibiting employment discrimination on the basis of sexual orientation or gender identity and expression." Section IV(b). In implementation of the foregoing policies, the Representative Assembly adopts the following action plan with regard to same-sex couples:

1. NEA will support its affiliates seeking to enact state legislation that guarantees to same-sex couples the right to enter into a legally recognized relationship pursuant to which they have the same rights and benefits as similarly-situated heterosexual couples, including, without limitation, rights and benefits with regard to medical decisions, taxes, inheritance, adoption, and immigration.
2. NEA does not believe that a single term must be used to designate this legally recognized "equal treatment" relationship, and recommends that each state decide for itself whether "marriage," "civil union," "domestic partnership," or some other term is most appropriate based upon the cultural, social, and religious values of its citizenry.
3. NEA will support its affiliates in opposing state constitutional and/or statutory provisions that could have the effect of prohibiting the state and its political subdivisions from providing the same rights and benefits to same-sex couples as are provided to similarly-situated heterosexual couples.
4. NEA will take such actions as may be appropriate to support efforts to (a) repeal any federal legislation and/or regulations that discriminate against same-sex couples, and (b) enact federal legislation and/or regulations that treat same-sex couples and similarly-situated heterosexual

couples equally with regard to social security, health care, taxation, and other federal rights and benefits.

5. NEA recognizes that the term "marriage" has religious connotations and that same-sex marriages may not be compatible with the beliefs, values, and/or practices of certain religions. Because of its support for the separation of church and state and the right to religious freedom guaranteed by the First Amendment to the United States Constitution, NEA supports the right of religious institutions to refuse to perform or recognize same-sex marriages.

The Executive Committee will monitor the implementation of this New Business Item, and keep NEA affiliates informed of actions taken to achieve its objectives.

NEA DECLINES "NO POSITION" PROPOSAL ON ABORTION

The NEA Resolution on Family Planning states that the NEA "supports family planning, including the right to reproductive freedom"; "urges the government to give high priority to making available all methods of family planning to women and men unable to take advantage of private facilities"; and, "urges the implementation of community-operated, school-based family planning clinics that will provide intensive counseling by trained personnel."

A 2009 proposed bylaw amendment regarding abortion sought to invalidate the NEA Resolution on family planning. The *defeated* proposal asked the NEA to take "no position" on the issues of abortion and family planning. It would have prohibited the NEA from filing a friend-of-the-court brief with the U.S. Supreme Court in litigation seeking to overturn *Roe v. Wade*, and it would have kept the NEA from "lobbying for or against legislation regarding the dissemination of birth control information, the funding of birth control procedures, or the sale of birth control products." See article at:

http://townhall.com/news/religion/2009/07/06/at_meeting,_nea_declines_to_remain_neutral_on_abortion.

