

ALA Council I
Sunday, July 12, 2009
10:45am-12:15pm
McCormick Place Convention Center, W375a-b
Chicago, IL

ADOPTED, ALA CD#2.1, 2009 ALA Midwinter Council Minutes.

APPROVED, The following slate of candidates for the 2009-2010 Council Committee on Committees Election: Liana H. Zhou; Locke J. Morrissey; Allene F. Hayes; Christine Lind Hage; Jennifer S. Kutzik; Susan Hill Pieper; John C. Sandstrom; Catherine L. Murray-Rust. Sylvia K. Norton and Carolyn P. Giambra were nominated from the Council floor. (ALA CD#12, 2008-2009 ALA Council Committee on Committees Report on the Nominations for the 2009-2010 ALA Council Committee on Committees Election)

APPROVED, The following slate of candidates for the 2009-2010 Planning and Budget Assembly Election: **Councilors-at-Large**: Nancy H. Allen; Susan F. Gregory; Julie Su; and Dolores (Dee) D. Gwaltney. **Chapter Councilors**: Kay Bowman; Leslie Kong; Teresa (Terry) A. Rheinheimer; Jessica Schwab; Julie A. Schneider; and Pamela R. Soreide. There were no floor nominations. (ALA CD#12.1, 2008-2009 ALA Council Committee on Committees Report on the Nominations for the 2009-2010 ALA Planning and Budget Assembly Election)

ALA Council II, 9:15am-12:45pm
Tuesday, July 14, 2009
McCormick Place Convention Center, W375a-b
Chicago, IL

ADOPTED, the following thirteen (13) action items contained in ALA CD#17.1, Policy Monitoring Committee (PMC) Report:

ACTION ITEM 1. Interpretation to the Library Bill of Rights regarding Services to Persons with Disabilities. In CD 19.3, Council approved a new interpretation to the Library Bill of Rights. These interpretations are traditionally represented in the *ALA Policy Manual* by means of an abstract, supplied by originating committee, followed by a reference to the Current Reference File, where the full text of the Interpretations reside. New interpretations are inserted in the order they are added. Therefore,

PMC moved the insertion of 53.1.20 Services to Persons with Disabilities:

The First Amendment to the U.S. Constitution mandates the right of all persons to free expression and the corollary right to receive the constitutionally protected expression of others. A person's right to use the library should not be denied or abridged because of disabilities. The library has the responsibility to provide materials "for the interest, information, and enlightenment of all people of the community the library serves." (See also the Library Bill of Rights.) When information in libraries is not presented in formats that are accessible to all users, discriminatory barriers are created. Adopted 2009.

ACTION ITEM 2. Access for Physical Mobility Impaired Conference Attendees. At the 2009 Midwinter Meeting, Council approved, CD #38, which added a paragraph to Policy 7.1.3, and CD #39, which contained instructions regarding accessible computer workstations, also to be added at the end of Policy 7.1.3.

PMC moved the addition of the following text at the end of policy #7.1.3, Conference Arrangements for Participants with Disabilities:

Assistive devices for attendees with physical mobility impairments shall be made available by reservation. Devices not reserved in advance shall be made available on a first-come, first-served basis. Using whatever means necessary, these devices shall be located adjacent to the conference center's main entrance or to the primary registration area for pick-up and delivery.

Accessible workstations shall be identified by raised identifier flags extending from the monitors of those workstations, and that in clusters of computer workstations made available to event attendees, accessible workstations shall always be placed at the first seat(s) of the first row(s) of the cluster.

ACTION ITEM 3: Membership in NCLIS. Policy 50.9 concerns appointment of members to the National Commission on Libraries and Information Science. Since NCLIS is now defunct.

PMC moved the deletion of Policy 50.9.

ACTION ITEM 4: Policy on Open Activities. At its Midwinter meeting, Council approved a Policy on Open Activities, which refers to activities of "committees, boards, etc. of ALA and its units," which belongs logically in the section of the *ALA Policy Manual* that deals with those entities. It appears that over time, policies related to committees and other bodies have simply been added to section 6.6 in the order in which they were approved, with 6.7-6.15 dealing with types of entities, and 6.16 with a type of member of such entities. There is, however, one anomaly: 6.12 covers Offices, which are not themselves membership entities. The logical place for the new policy is either before or after 6.16, but the presence of 6.12 in the middle of the list of membership entities might make the policy about activities difficult to find. PMC believes that 6.12 should be placed at the end of this section and renumbered to leave room for expansion, while inserting the new policy immediately preceding the current 6.16 Virtual Members. 6.12 would be reserved for insertion of a description of Membership Initiative Groups (see ACTION ITEM 5 below), thus eliminating a need to renumber 6.13 - 6.15. The new policy would be numbered 6.17, to leave room for possible future addition of another type of membership entity. Accordingly,

PMC moved that 6.12 Offices be RENUMBERED to 6.20; that the current policies 6.13 - 6.15 retain their current numbering; that the current 6.16 be RENUMBERED as 6.18; that room be left for expansion of the list of membership entities;

And that the following be inserted as the new Policy 6.17:

6.17 Policy on Open Activities. All activities of the committees, boards, etc. of the American Library Association and its units should be conducted as openly as is feasible. Therefore, it shall be the policy of the American Library Association that

all governance related activities, sponsored by the ALA or one of its units, taking place outside of official meetings should be accessible to the membership of the sponsoring body.

As with ALA's Open Meetings Policy, 7.4.4, the primary purpose of the policy on Open Activities is to facilitate transparency of the Association's governance. The policy is intended to cover all activities of committees, boards, etc. of the Association and its units that take place between the meetings held at the Midwinter Meeting and Annual Conference and other official meetings scheduled between conferences. Activities such as communications, mailings, emails, discussion lists, blogs, etc. which do not meet the definition of a meeting, ALA Policy, 7.4.1, are examples of activities covered by this policy.

Exceptions to this Open Activity Policy are permissible for committees, boards, etc. whose discussions frequently touch on matters of privacy regarding individuals, institutions, and/or organizations, or where, in the opinion of the body, its work would be hindered by open member accessibility to discussions.

ACTION ITEM 5. Membership Initiative Groups. In conjunction with considering possible changes to policy to reflect use of electronic signatures, it was noted that Membership Initiative Groups are not described in the *ALA Policy Manual*. Instead, the description of MIGs and processes pertaining to them appears on page 154 of the current *2008-2009 ALA Handbook of Organization*. In response to a request from PMC, COO included a definition for Membership Initiative Groups as an information item in its report at Midwinter, 2009. Since the wording is the same as has appeared on page 154, and since that wording was approved by Council when it was first written, it is now ready for insertion into the *ALA Policy Manual*. Because of the renumbering undertaken in Action Item 4, the new policy belongs at 6.12, taking the place of the relocated policy on Offices.

PMC moved the insertion of the text below as Policy 6.12:

A Membership Initiative Group (MIG) is formed when a group of ALA members identifies a common concern or interest about librarianship which falls outside the delegated responsibility of a single division, roundtable, or unit, and wishes to establish a short-term mechanism to address this concern or interest. To establish a MIG, which must be approved by COO and reported to Council, a group must submit to the Committee on Organization a statement of purpose, at least one hundred signatures of ALA members in good standing, and the names and addresses of designated organizers.

Numbering of policies in this section would thus be in the following order: 6.6 Committees; 6.7 Subcommittees; 6.8 Commissions; 6.9 Task Forces; 6.10 Discussion Groups; 6.11 Assemblies; 6.12 Membership Initiative Groups; 6.13 Interest Groups; 6.14 Sections; 6.15 Forums; 6.17 Open Activities; 6.18 Virtual Members; 6.20 Offices.

ACTION ITEM 6: Core Competences of Librarianship. At the 2009 Midwinter Meeting, Council adopted The ALA's Core Competences of Librarianship, as amended, as a policy of the Association and as an important component of the revision of the Association's accreditation standards.

The Core Competences of Librarianship are contained as an appendix to CD #10. Because the appendix is very lengthy, it is not reproduced here. Those wishing to see the full text may refer to CD #10 (reached through the document inventory page at <http://www.ala.org/ala/aboutala/governance/council/councildocuments/documentinventoryacmw2009.cfm>). The amendments to the original text may be seen on page 3 of the summary of actions taken, which may be seen at: <http://www.ala.org/ala/aboutala/governance/council/councilactions/2009mwandannualactions/mwcouncilactions.pdf>

PMC moved the insertion of Core Competences of Librarianship at 40.3, and ALSO MOVES REVISION of the caption at 40 to read: Core Values, Ethics, and Core Competences.

ACTION ITEM 7: Resolutions for Membership Meetings. At the 2009 Midwinter Meeting, Council approved revised Guidelines for Resolutions for Membership Meetings, as contained in CD #14. The text of these guidelines is very lengthy, so it is not included here. Those wishing to see them should refer to page 9 of <http://www.ala.org/ala/aboutala/governance/council/councilactions/2009mwandannualactions/mwcouncilactions.pdf>

PMC moved the deletion of all but the first paragraph of Policy 7.4.10, and replacement with the revised text as contained in CD #14.

ACTION ITEM 8: Council Attendance. Current policy states: 5.5.1 Attendance. At each Council meeting, attendance shall be taken by checklist or roll call.

Roll has been taken by voting card for at least two decades. PMC recommends that this policy be revised in such a way that it need not be revised each time the mechanism changes, and in such a way that it could accommodate some future possibility of "virtual attendance" at Council meetings. Accordingly,

PMC moved that Policy 5.5.1 be revised to read:

At each Council meeting, attendance shall be taken through appropriate means, such as checklist, voting cards, etc.

ACTION ITEM 9. Distribution of Council Agenda and Other Documents. Current policy states: 5.5.3 Agenda. The Executive Director, as Secretary of the Council, shall mail the agenda for a Council meeting, including such documentation as has been provided by members and units, to reach Council members not later than two weeks before such meetings. Minority reports shall be given to Council.

The heading for this policy is misleading, since it does not concern the agenda itself, but rather the advance distribution of the agenda and other documents. It was written when documents were distributed through physical mail, and the two weeks deadline was intended to provide time for accidents that might interfere with delivery of documents to some Councilors. Even though distribution through electronic means is essentially instantaneous, PMC believes that a two-week deadline remains reasonable and desirable.

The final sentence of 5.5.3 is somewhat mysterious and may reflect either a misunderstanding of what constitutes a minority report, or it may reflect some past practice when committees, task forces, etc. may not have recognized an obligation to represent minority opinion in their reports, either internally or as attachments. (Minority

reports are covered in Sturgis, p.189) Because minority reports are technically a part of the committee report proper (whether attached, incorporated, or numbered separately), there is no need to mention them explicitly in the policy. Indeed, mentioning them separately contributes to confusion about their standing and may even suggest that any document expressing opposing viewpoints, promulgated from outside the committee report might be considered a "minority report." Deletion of this confusing sentence will not restrict the ability of Councilors to communicate personal or group opposing viewpoints through the Council List, ALA Connect, or other means.

PMC moved that 5.5.3 be revised to read:

5.5.3 Advance Distribution of Council Agenda and Other Documents. The Executive Director, as Secretary of the Council, shall distribute the agenda for Council meetings, as well as such documentation as has been provided by members and units, to reach Council members not later than two weeks before such meetings.

10. ACTION ITEM 10. Censure of Racist Institutions. Current policy states: 9.6 Racist Institutions: Opposition to Support of. Public, academic, or school libraries which provide services or materials to racist institutions conceived for the purpose of circumventing desegregation of public schools may be censured by the American Library Association under procedures to be developed and approved by Council.

There are a number of peculiar things about this policy, including: The policy is very narrowly drawn. Having a policy that permits censure in this one very specific instance implies that censure is never possible unless a policy is written to permit it in the particular circumstances being considered.

Even though in 2006 PMC requested Councilors and others interested to comment, no comments were ever received. No procedures were ever developed, nor was there ever any request to do so. One might wonder how libraries can be held responsible for knowing for certain that it was the desire to circumvent desegregation of public schools that inspired the formation of a racist institution. One might wonder how public libraries could refuse to provide services to some institutions that they would provide freely to others.

A search of Council minutes reveals only one instance that a motion to censure has introduced, and the motion was withdrawn before it was voted on. (in June 1992 a motion to censure the Executive Board for its actions with regard to the dismissal of the Executive Director was introduced. The movers indicated that their purpose was to provide an opportunity to express dismay not with the action per se, but with how it was handled. With permission of Council, the motion was withdrawn). There have been other instances when censure has been discussed (e.g., when the State Librarian of Hawaii outsourced all materials selection and cataloging of state-supported libraries), but motions of explicit censure were not made.

Censure is covered in Sturgis, p. 223, under the Discipline and Expulsion, and may be invoked only against members of the Association. (Further, Article III of the Constitution and Bylaws also provides for the suspension of members for cause).

PMC believes that the presence of 9.6 weakens the ability of the Association to react appropriately and in a timely manner to censure when appropriate. Because censure is covered in Sturgis, the absence of 9.6 would not prevent censure. For these and all the other reasons cited above,

PMC moved that policy 9.6 be deleted.

ACTION ITEM 11: Virtual Members. At Midwinter, 2009, Council approved CD #35.4, as amended, which reads:

"Request the Policy Monitoring Committee re-writes Policy 6.16 to eliminate the two classes of committee members. Make no new committee appointments or reappointments to ALA-level committees under Policy 6.16 after the current appointment cycle at the close of Annual 2009, and COO should not authorize addition of ALA-level committee members under Policy 6.16 after Annual 2009. (Implementation of this recommendation requires revisions to Policy 4.5 (contained in Recommendation 5, ALA CD #35.5). In preparation for implementation of this recommendation, charge the new task force described in ALA CD#35, Recommendation #16 to make recommendations concerning issues such as appointment procedures, limitation to proportion of "e-participating" members on a committee; establishment of quorum, and any other measures specifically dealt with by Policy 6.16. The new task force should also address issues such as the extent of the Association's responsibility to provide electronic access for committee members to meetings of their committee, and the responsibility of those participating electronically to support their own access to meetings. Additionally, the new task force should consider whether a separate policy, specifically authorizing the appointment of committee members whose attendance will be electronic only needs to be written, or if revision of Policy 4.5 is sufficient. If a separate policy or additional change to existing policy is needed, the new task force should write it."

For Council's convenience as it considers PMC's conclusions, the current text of Policy 6.16 and of Policy 4.5 are reproduced below:

6.16 Virtual Members

- 1) Definition of Virtual Members: Virtual members of committees or task forces have the right to attend meetings, participate in debate, and make motions. Virtual members are not counted in determining the quorum nor do they have the right to vote.
- 2) Appointment of Virtual Members to Standing Committees of the Association: Virtual members of standing committees of the Association are appointed in accord with the provisions of the ALA Bylaws, Article VIII, sec. 2(a)(i). Inclusion of virtual members on a standing Committee of the Association requires the recommendation of the Committee on Organization and the approval of Council. No more than one third of the membership on a standing committee may be virtual members.
- 3) Appointment of Virtual Members to Standing Committees of Council: Virtual members of Committees of the Council are appointed in accord with the provisions of the ALA Bylaws, Article VIII, sec.2(b). Inclusion of virtual members on a Committee of the Council requires the recommendation of the Committee on Organization and the approval of the Council. No more than one third of the membership of a Council committee may be virtual members.

4) Appointment of Virtual Members to Committees of Round Tables and Divisions: Virtual members of division or Round Table committees are appointed in accord with each respective division's or Round Table's appointment procedures for committee members. No more than one third of the membership of a round table or division committee may be virtual members.

4.5 Requirements for Committee Service

4.5.1 Membership. Except as specifically authorized, members of all ALA and unit committees, task forces, and similar bodies must be members in good standing of the group's parent organization.

4.5.2 Participation. Members of all ALA and unit committees, task forces, and similar bodies are expected to participate in the work of the group. Participation includes both attendance at synchronous meetings scheduled in conjunction with the Midwinter Meeting or Annual Conference or at other times during the year, as well as contributions through asynchronous communication methods that may be utilized by the group outside of formal meetings. Attendance at meetings may be in person, or through other means that enable synchronous communication.

4.5.3 Provision of explanation of absences. Members of all ALA and unit committees, task forces, and similar bodies are expected to provide explanation of their absences and/or inability to participate to the committee chair or unit secretary. Failure to provide adequate explanation of absences from two consecutive synchronous meetings or to participate otherwise in the work of the committee constitutes grounds for removal, upon request of the chair and approval of the appropriate appointing official or governing board.

PMC found the instructions contained in CD 35.4 to be internally contradictory.

When PMC attempted to rewrite 6.16 as instructed, and in recognition of the deadlines contained in #CD35.4, it concluded that items 2, 3, and 4 should be deleted altogether, as being either no longer true, unnecessary, redundant, or unknown, since the Task Force referred to in #CD35.4 has not been formed and whatever decisions might be made regarding quorum, process, parliamentary issues, organizational obligations, etc. cannot be known in advance.

Rewriting item 1 to eliminate the two classes of membership would result in:

Virtual Members. Members of committees whose attendance at committee meetings is accomplished primarily electronically rather than physically are termed Virtual Members. Virtual members have the same rights and obligations as those who attend meetings physically. This definition, however, has a flaw, in that if there is no difference between those members who attend physically and those who attend virtually, it is highly likely that almost immediately all members will attend physically sometimes and virtually sometimes, so that the term "virtual members" is no longer accurate or relevant.

PMC finds that the revision to 4.5 that was approved at Midwinter, 2009 makes the retention of 6.16 to be unnecessary and redundant. PMC concludes that the rewrite of 6.16 should take the form of elimination of the policy. PMC notes that the work of the task force referred to in 35.4 (above) may conceivably result in recommendations coming to

Council that could possibly result in a new policy being written, but it is impossible to anticipate what that new policy might contain, or how long it might be until such policy may be necessary. Having an inaccurate, obsolete, and unnecessary policy retained in the Manual against the future possibility that something else might one day be needed is highly undesirable has completed its work.

PMC moved that the current 6.16 Virtual Members be deleted.

By **CONSENT**, PMC Action Item #12, Adoption of Standards of ALA Units, was **WITHDRAWN** by the Policy Monitoring Committee for further consideration.

ACTION ITEM 12: Adoption of Standards of ALA Units.

Policy 55.2 states that "Standards adopted by ALA units other than divisions as provided in the Constitution and Bylaws become ALA policy only when adopted by Council." It has been observed that the Committee on Accreditation (COA), which is not a "unit," brings its standards to Council for vote. Indeed, bringing the Standards to Council is incorporated in the Committee Charge. PMC assumes that Council wishes COA to continue to bring its standards for Council approval.

According to Policy 6.5, a "unit" is a membership group, and committees, subcommittees and other appointed entities are excluded from the definition. COA is an appointed body, and is thus excluded from the definition of a "unit." PMC noted that COA is an appointed committee that operates under the aegis of an Office, rather than being appointed out of a membership body, and wondered whether there were other such committees that might have responsibilities similar enough to COA that they should also be covered by 55.2. After examining other such committees, PMC concluded that COA's relationship to its "host" Office, and its type of mission are unique. Thus, a simple revision to policy to cover COA will be sufficient to address the situation for COA.

An attempt to make this revision while maintaining comprehensibility of the policy revealed that it is not readily apparent to what the phrase "as provided in the Constitution and Bylaws" refers.

PMC moves that 55.2 be revised to read:

Standards adopted by the Committee on Accreditation, and by ALA units other than divisions become ALA policy only when adopted by Council. Standards adopted by divisions in accordance with Article VI, Section 3 need not be approved by Council.

ACTION ITEM 13. Current Reference File. ALA policies have not always been readily accessible. When, many years ago, it was decided to gather policies up into a single readily-available manual, many decisions had to be made. Among these were decisions that: the *ALA Policy Manual* could not accommodate the whole text of some longer policies; process documents such as implementation guidelines and criteria did not belong in the Manual; Interpretations would not be included in the *ALA Policy Manual*. All policy-related documents that were left out of the *ALA Policy Manual* proper were organized into what ALA staff came to call the "Current Reference File." (CRF)

The CRF is maintained by ALA staff. It is organized by policy number, and has been kept in a set of loose-leaf notebooks that have been kept at ALA Headquarters, and brought to conferences so they could be consulted if necessary. In addition to containing the full text of policies deemed too long to be in the *ALA Policy Manual*, the CRF contains interpretations, process documents, the original Council Document that presented the Policy, and other policy-related miscellany. Many policies contain explicit reference to material in the CRF, but many, especially those initially a part of the first *ALA Policy Manual*, do not.

This segregation of materials has often caused confusion and frustration, as well as unawareness of policy contained outside the *ALA Policy Manual*, and a sense that there are "secret" policies.

ALA staff has recently completed scanning all documents in the CRF, and are working toward making it accessible to members. Before that can be done many decisions need to be made regarding content of the *ALA Policy Manual* proper, content of the CRF, accessibility of the CRF, and navigation. Policy Monitoring Committee recently put some questions to the Council List. Based on input received and on its own investigations and discussions, PMC has reached some conclusions. Rather than present these conclusions one-by-one as binding recommendations, however,

PMC moved the following recommendations to be used as guidelines for ALA staff as they continue their work to make the contents of both ALA's policies and the Current Reference File accessible to members.

1. Rename the Current Reference File to be the Policy Reference File (PRF). The present name does not indicate what the file relates to, and much of the content of the CRF is historical rather than current.
2. Include the full text of all policies in the *ALA Policy Manual* (Except that Interpretations, which are in a sense policy, might need to be treated differently. See 7. Below).
3. Include specific links from each policy to the following kinds of documents (when present): Source Document (by CD number, when available); Interpretation of the policy; Guidelines or Criteria; Implementation information.
4. Other historical information in the PRF need not be specifically linked from the *ALA Policy Manual*, but it should be retrievable/searchable. At some point in the future, the "other" documents in the PRF should be examined to see if they need to be retained there.
5. Links should lead directly to the item referenced, and not to some huge document that would need to be loaded and paged through.
6. In addition to having items linked directly to policy statements, the PRF as a whole should be searchable policy-by-policy, and a search should yield all documents related to that policy.
7. Since, under 3 above, Interpretations would now be easily/readily retrievable through links under the policy, the current practice of representing the Interpretations to the Library Bill of Rights (LBOR) by a policy number and an abstract should be examined. The abstracts are not themselves "billed as" policy, yet they have policy numbers; at

present, the wording of the abstracts is not approved by Council, but is instead supplied by the Committee. (This practice is described in policy 5.6, but appears only to have been implemented in the case of the Library Bill of Rights). The only other policy (Open Meetings) that has an interpretation is handled differently, with the policy in the *ALA Policy Manual*, and a reference to the Interpretation in the CRF. Consider possibilities such as:

- Eliminate the LBOR interpretation abstracts, and replace them with a list of links, e.g. Interpretation 1. Challenged materials [link]; Interpretation 2. Expurgation [link]; and so on. All other policies (currently only one) would follow this pattern. If there were only one interpretation, the "list" would simply be Interpretation [link]
 - Since the wording of the interpretations is approved by Council, it can be argued that the Interpretations are policy. If the Interpretations are considered policy, consider including the interpretations themselves in the *ALA Policy Manual*.
 - If the Interpretations are policy, but are not to be included in the *ALA Policy Manual* because of length, then the list described in the first bullet above would take the form of: 53.1.1 Challenged Materials [link]; etc. All other policies with interpretations would follow the same pattern of giving a policy number and brief name to the Interpretation, followed by a link.
 - A decision about whether to include the Interpretations in the *ALA Policy Manual* might need to be delayed until we have some more experience with using the online PRC.
8. If the Interpretations are acknowledged to BE policy, this should be explicitly stated somewhere (in the introduction to the *ALA Policy Manual*?)
 9. Revise the introduction to the *ALA Policy Manual* to reflect the new name of the PRF and its contents.
 10. Although it is likely that the heaviest users of the PRF and its contents will be Councilors, Officers, and members of ALA level committees, any decisions made regarding how the PRF is accessed and represented should be made based on the assumption that access should be open to and easy for any member of ALA.

ACTION ITEM 14. *ALA Policy Manual* Maintenance, Indexing, and Table of Contents.

For the past few years, PMC has been considering other matters related to the presentation and accessibility of the *ALA Policy Manual*. It seems desirable to make recommendations about these matters at the same time that issues of the PRF are being considered. Accordingly

PMC moved the following recommendations to be used as guidelines for ALA staff as they continue their work to make the contents of both ALA's policies and the Policy Reference File accessible to members:

1. If the *ALA Policy Manual* is entirely online, and if keyword searching works well, the Policy Manual need not be indexed.
2. There remains a need for the table of contents, which should be maintained by ALA staff.
3. In order to prevent outdated and "orphaned" versions of policies appearing on any of the ALA Web pages, any committee, unit, office, or other entity that wishes to refer to an ALA Policy should do so with a link, instead of by reproducing the text of the policy on that entity's web page.

APPROVED, The below proposal to adjust the organizational dues rate over a two-year phased in process to begin on September 1, 2009; and that ALA Council requests the Policy Monitoring Committee to revise policy 12, section 1 to reflect the new rates. (ALA CD#44, ALA Membership Committee Report on Organizational Dues Rate)

Proposed Organizational Dues Structure FY 2010						
Type		Public Libraries by Service Population ¹	School Libraries by # of students ²	Academic by Carnegie Hybrid ³	State Libraries ⁴	Other
L1/S1	Very Small	<10,000	<200	Very Small	Very Small	
L2	Small	10k-24k	200 - 499	Small	Small	
L3	Medium	25k-99k	500 - 749	Medium	Medium	
L4	Large	100k-499k	750-999	Large	Large	
L5	Very Large	500k+	1000 or more	Very Large	Very Large	
Other						Intl, Chapter, Affiliate & Non-Profits

MOVED, The adoption of ALA CD#41.2, Resolution on Ethics Education, which read: "That the Council of the American Library Association acknowledges that ethics education for its members is a critical need and a training priority of the Association; that the ALA Council accepts the recommendation of the ALA Council Committee on Professional Ethics (COPE) that the Ethical Fitness® Seminar developed by the Institute for Global Ethics best meets the criteria of providing research-based, instructionally sound, sustainable, affordable, and practical ethics education; and that the ALA Executive Board designate a process to engage in contract negotiations with the Institute for Global Ethics (IGE) for the use of their Ethical Fitness® seminar materials for the ALA ethics education seminars and institutes; that the results of those negotiations be regularly conveyed to the COPE and its input be sought as needed; and that a final report be presented at the ALA 2010 Midwinter Meeting." (Committee on Professional Ethics Report on Resolution on Ethics Education, ALA CD#41.2)

¹ The definition of very small to very large is adapted from the 2003 NCES Public Libraries data.

² Adapted from the 2003 NCES School Libraries data.

³ This will be modeled on the Carnegie Classes used to place institutions into one of five JSTOR fee classes.

⁴ Based on operating budget, exclusive of pass through funds.

By *CONSENT*, ALA CD#41.2, Resolution on Ethics Education was divided and resolved clauses 1-3 were considered separately as follows:

- (1) That the Council of the American Library Association acknowledges that ethics education for its members is a critical need and a training priority of the Association;
- (2) That the ALA Council accepts the recommendation of the ALA Council Committee on Professional Ethics (COPE) that the Ethical Fitness® Seminar developed by the Institute for Global Ethics best meets the criteria of providing research-based, instructionally sound, sustainable, affordable, and practical ethics education;
- (3) That the ALA Executive Board designate a process to engage in contract negotiations with the Institute for Global Ethics (IGE) for the use of their Ethical Fitness® seminar materials for the ALA ethics education seminars and institutes; that the results of those negotiations be regularly conveyed to the COPE and its input be sought as needed; and that the results of those negotiations be regularly conveyed to the COPE and its input be sought as needed; and that a final report be presented at the ALA 2010 Midwinter Meeting.

VOTED, That the Council of the American Library Association acknowledges that ethics education for its members is a critical need and a training priority of the Association. Committee on Professional Ethics Report on Resolution on Ethics Education, ALA CD#41.2, #1)

DEFEATED, A motion to substitute the following language for above 2nd "Resolved" clause: "That ALA Council request ALA staff to design and distribute an RFP for an organization that will provide research-based, instructionally-sound, sustainable, affordable and practical ethics education." (Committee on Professional Ethics Report on Resolution on Ethics Education, ALA CD#41.2, #2)

DEFEATED, The motion to accept the recommendation of the ALA Council Committee on Professional Ethics (COPE) that the Ethical Fitness® Seminar developed by the Institute for Global Ethics best meets the criteria of providing research-based, instructionally sound, sustainable, affordable, and practical ethics education. (Committee on Professional Ethics Report on Resolution on Ethics Education, ALA CD#41.2, #2)

Note: Since #2 of ALA CD#41.2 failed, #3 of ALA CD#41.2 was void.

ADOPTED, ALA CD#53, Resolution on Civil Marriage Equality Regardless of Sexual Orientation, which read: "That the American Library Association affirms that civil marriage and other civil rights protections are essential to making all families safer and more secure; opposes civil marriage discrimination in the federal or in state constitutions; and supports the right of every person to marry, including lesbian, gay, bisexual and transgender couples, wherever they reside."

DEFEATED, ALA CD#55, Resolution on Libraries and the Continuing Wars in Iraq and Afghanistan, which read: "That the American Library Association:

1. Reiterates its call for the ending of the occupation of Iraq and the withdrawal of all US troops; and
2. Calls for the withdrawal from Afghanistan of all U.S. military forces, and the return of full sovereignty to the people of Afghanistan; and

3. Urges the United States government to shift its budgetary priorities from both wars to an improvement in support for vital domestic programs, including United States libraries; and
4. Calls upon the United States government to provide material assistance through the United Nations for the reconstruction of both Iraq and Afghanistan, including its museums, libraries, schools, and other cultural resources; and
5. Sends this resolution to all members of Congress, the Secretary of Defense, the Secretary of State, the President of the United States, the United States Ambassador to the United Nations, and the press."

ALA Council III

Wednesday, July 15, 2009

8:00am-12:30pm

**McCormick Place Convention Center, W375a-b
Chicago, IL**

ADOPTED, The following memorials: Jane Shaw, M-#3; Kate McClelland, M-#6; Kathleen Krasniewicz, M-#7; James Joseph Michael, M-#8; Judith Krug, M-#9 and #9.1; Margaret Taylor Lane, M-#10; Minnie Lou Lynch, M-#11; Coleen Cole Salley, M-#12; Marjorie Gray Wynne, M-#13; E.J. Josey, M-#14; Evan Farber, M-#15; Connie Costantino, M-#16; and Virginia Saunders, M-#17.

ADOPTED, The following tributes: 50th Anniversary of the ACRL Art Section, T-#3; 100th Anniversary of the National Library of China, T-#4; and 40th Anniversary of the Freedom to Read Foundation, T-#5.

ELECTED, To the 2009-2010 Council Committee on Committees: Locke J. Morrissey; John C. Sandstrom; Christine Lind Hage; and Sylvia K. Norton.

ELECTED, To the 2009-2010 Planning and Budget Assembly. *Councilors-at-Large*: Susan F. Gregory and Dolores (Dee) D. Gwaltney. *Chapter Councilors*: Kay Bowman; Leslie Kong; and Julie A. Schneider.

ADOPTED, the following two (2) action items contained in ALA CD#25.2, Constitution and Bylaws Committee Report:

Action Item #1. That ALA Bylaws Article 8, Section 8 be revised to read: Votes in the Executive Board, Council, committees, and task forces may be taken by mail, electronic system, or conference call, provided that all members are canvassed simultaneously. A majority vote, provided a quorum has participated, shall be required for passage of any measure voted on by these means. Each of these bodies shall have the authority to set a time limit within which the votes of its members shall be recorded, but, if no such time limit is set, no vote shall be counted unless received within 30 days from the day the text of the matter voted upon was properly mailed or distributed to those entitled to vote on the matter involved.

- a. Article X. Notices and Voting by Mail

The Task Force on Electronic Participation also recommended that it be made it clear that Article X of the Bylaws refers only to votes by the entire membership. The Constitution and Bylaws Committee felt that Article X as it now stands has two different subjects. We are therefore recommending separating Article X into two articles and clarifying the intent of the

second of these to refer only to votes of the entire membership. We therefore offer the following:

Action Item #2. That Article X be replaced by the following, renumbering the current Article XI as Article XII:

Article X. Notices by Mail.

Section 1. Publication of notices in the American Libraries shall be considered sufficient to fulfill the requirement of notice by mail.

Article XI. Voting by Mail.

Section 1. Votes of the Association membership by mail shall be deemed to be by postal service or electronic means as determined by the executive director, who shall be responsible for ensuring the integrity of the ballot.

ADOPTED, To request the ALA President, with advice of the ALA Executive Board, to convene an ALA wide representative group to continue to assess the proposed Google Book Search Settlement and its ongoing impact on ALA members and member institutions and to make recommendations for action by the Association and its members. (ALA CD#20.3, Committee on Legislation Report)

ADOPTED, ALA CD#20.4, Resolution on Government Printing Office Appropriations, which read: "That the American Library Association (ALA):

1. Urges Congress to reaffirm GPO's mission to providing no-fee public access to government information by fully funding the United States Government Printing Office appropriations at the level requested by the United States Public Printer for FY 2010."

ADOPTED, ALA CD#20.5, Resolution Supporting Federal Research Public Access Act, which read: "That the American Library Association (ALA):

1. Urges Congress to ensure public access to research conducted by federal agency employees or through funds administered by federal agencies through passage of the Federal Research Public Access bill S. 13732; and
2. Urges Congress to amend the bill to calculate the combined research expenditures from both intramural and extramural research activities to reach the \$100 million threshold as articulated in the current draft of the legislation."

ADOPTED, ALA CD#20.6, Resolution Supporting GPO's Digitization of Historical Federal Publications, which read: "That the American Library Association (ALA):

1. Urges Congress to support and fund the Government Printing Office (GPO) in digitization efforts of historical federal publications; and
2. That the digitization efforts will adhere to statutory requirements of Title 44 U.S. Code and GPO guidance and the ALA's Principles of Digital Content in consultation with depository libraries and other library partners; and
3. That the GPO become a trusted repository for preservation and access to electronic files and that partner depository libraries also serve in that capacity."

ADOPTED, ALA CD#20.7, Resolution Supporting Preserving the American Historical Records Act, which read: "That the American Library Association (ALA):

1. Urges Congress to protect and preserve the essential records of government through the passage of the Preserving the American Historical Records bill H.R. 2256."

ADOPTED, ALA CD#19.9, Resolution on the Reauthorization of Section 215 of the USA PATRIOT ACT, which read: "That the American Library Association (ALA):

1. Urges Congress to allow section 215 of the USA PATRIOT ACT to sunset; and
2. Communicates this resolution to the U.S. Congress, the President of the United States and others as appropriate."

VOTED, To treat ALA CD#20.8, Resolution on the Reauthorization of Section 215 of the USA PATRIOT ACT, as an advisory resolution to the ALA Washington Office if Section 215 of the USA Patriot Act is to be reauthorized.

CD#20.8, Resolution on the Reauthorization of Section 215 of the USA PATRIOT ACT, read: "That the American Library Association asks that Congress to include in the reauthorization of Section 215 of the USA PATRIOT ACT the following provisions:

- Require law enforcement officials to show individualized suspicion that records or other items being sought pertain to a foreign power or agent, a person in contact with a suspected agent, or a suspected agent who is the subject of the investigation;
- Require records or other items being sought to be described with sufficient particularity to allow them to be identified - reducing the danger that the FBI will engage in fishing expeditions into personally identifiable information in library or bookstore records;
- Require the Foreign Intelligence Surveillance Act (FISA) Court to make a finding that these facts have been sufficiently demonstrated;
- Show cause for a FISA court to approve a gag order; gag orders will expire at the end of six months unless cause is shown cause to reauthorize them;
- Allow a recipient of a FISA Section 215 records-search order to consult with an attorney or others for help responding to the request;
- Guarantee a recipient the right to challenge any gag order;
- Ensure due process for any recipient challenging a search or gag order;
- Set a sunset date for Section 215 of no more than four years, to insure ongoing oversight and assessment of the impact of this provision on civil liberties; and
- Intensify oversight of the Section 215 provisions of the USA PATRIOT Act that limit the privacy rights of library users, library employees, and the general public."

APPROVED, Revisions to the following two (2) Interpretations of the *Library Bill of Rights*:

1. Access to Digital Information, Services, and Networks, ALA CD #19.5
2. Labeling and Rating Systems, ALA CD #19.7.

ADOPTED, The following two (2) new Interpretation of the *Library Bill of Rights*:

1. Importance of Education to Intellectual Freedom ALA CD #19.6
2. Minors and Internet Interactivity, ALA CD#19.8

ADOPTED, the following two (2) action items contained in ALA CD#27.1, Committee on Organization Report:

Action Item #1. The name of the Continuing Library Education and Networking Exchange Round Table (CLENERT) be changed to the Learning Round Table (Learn). CLENERT has been working to expand membership and increase the effectiveness of the round table. A survey of

members indicated that 93% of the members did not know what the acronym, CLENERT meant. In order to increase visibility in the association and to emphasize the active nature of the central mission of the round table, CLENERT requests that their name be changed to Learning RT (Learn).

Action Item #2. The composition of the Round Table Coordinating Assembly (RTCA) be expanded to include the immediate past president, the current treasurer/fiscal officer/budget chair of each RT, and individuals currently serving on ALA committees as a result of the collective appointment by the RT's. RTCA feels that these additional members will help the work of the RTCA in sharing information among round tables and in making recommendations for collective appointments to committees.

ADOPTED, ALA CD#50, Resolution Promoting Sunday, October 4, 2009, as Intergeneration Day Means Libraries, which read: "That the American Library Association (ALA), through the adoption of this resolution:

1. Urges its member libraries to support the goals of Intergeneration Day Means Libraries by considering to offer multi-generational activities during the week of October 4, 2009; and
2. Urges its divisions and round tables to support and promote Intergeneration Day Means Libraries by adding a link, if possible, from their website to the Intergeneration Foundation website at <http://www.intergenerationday.org>."

ADOPTED, ALA CD#51, Resolution on Accessibility for Library Websites, which read: "That the American Library Association (ALA):

1. Urges all libraries to comply with Section 508 regulations, Web Content Accessibility Guidelines 2.0, or other criteria that become widely accepted as standards of accessibility evolve, so that people with disabilities can effectively use library websites to access information with ease; and
2. Urges the federal government and state and local governments to provide adequate funding to allow libraries to comply with accepted standards and laws on accessibility for people with disabilities."

ADOPTED, ALA CD#52 (Revised 7.14.09), Purchasing of Accessible Electronic Resources Resolution, which read: "That the American Library Association (ALA) strongly recommends:

1. That all libraries purchasing, procuring, using, maintaining and contracting for electronic resources and services require vendors to guarantee that products and services comply with Section 508 regulations, Web Content Accessibility Guidelines 2.0, or other applicable accessibility standards and guidelines; and
2. That all libraries purchasing, procuring, and contracting for electronic resources and services ensure, through their own testing protocols or by requiring vendor guarantees, that electronic products and services have been fully tested and found to be in compliance with applicable accessibility regulations, guidelines, and criteria; and
3. That funding authorities, including private institutions, the federal government and state and local governments, provide adequate funding to allow all libraries purchasing, procuring,

and contracting for electronic resources and services the ability to comply with accepted standards and laws of accessibility for people with disabilities."

MOVED, ALA CD#54, Resolution Endorsing Legislative Proposals for Single-Payer, Universal Health Care, which read: "That the American Library Association (ALA):

1. Reaffirms its support of a single-payer health-care program; and
2. Endorses bills such as S. 703, "American Health Security Act of 2009," and H. R. 676, "United States National Health Care Act," which favor single-payer health care; and
3. Sends a copy of this resolution to the President of the United States and to all U.S. Senators and U.S. Representatives."

VOTED, To amend ALA CD#54, Resolution Endorsing Legislative Proposals for Single-Payer, Universal Health Care by:

(1) Delete the words: **[Single Payer]** from the resolution's title. The title would read: **"Resolution Endorsing Legislative Proposal for Universal Health Care"**

(2) Delete the last "Whereas" clause from the resolution, which read: **~~"A single-payer program as provided in S. 703 and H.R. 676 offers an affordable opportunity to provide needed universal and comprehensive health care coverage in the United States."~~**

(3) Amend the first "Resolved" clause as follows: "Reaffirms its support ~~of a single-payer~~ **for affordable** universal health care, including the option of a single-payer health care program; and

(4) Substitute the following language in the original 2nd "Resolved" clause of the resolution: **"Endorses current executive and legislative branch efforts to reform healthcare delivery systems in the United States in order to ensure universal and affordable healthcare for all Americans; and"**

(5) The third "Resolved" clause will remain unchanged.

VOTED, To delete the second "Resolved" clause from ALA CD#54, Resolution Endorsing Legislative Proposal for Universal Health Care, as amended to read: **"Endorses current executive and legislative branch efforts to reform healthcare delivery systems in the United States in order to ensure universal and affordable healthcare for all Americans."**

ADOPTED, ALA CD#54, Resolution Endorsing Legislative Proposal for Universal Health Care, as amended to read: "That the American Library Association (ALA):

1. Reaffirms its support for affordable universal health care, including the option of a single-payer health care program; and
2. Sends a copy of this resolution to the President of the United States and to all U.S. Senators and U.S. Representatives."

MOVED, ALA CD#56, An Action Plan to Remedy Current Library Budget Crisis, which read: "That the American Library Association (ALA) immediately address the severe national erosion of budgetary support to all libraries with deliberate, concerted and unyielding effort by developing

and instituting a critical crisis management approach to remedy library budgetary losses through the creation of an action plan to alert legislators, stake holders, and constituents to action through all media and interpersonal channels available."

APPROVED, A motion to amend ALA CD#56, An Action Plan to Remedy Current Library Budget Crisis, by adding a second "Resolved" clause, which read: "Communicates to the President of the U.S., all members of Congress and all state governors that during tough economic times when people more than ever need the resources available in American libraries that those libraries more than ever need continued and increased government support."

ADOPTED, ALA CD#56, An Action Plan to Remedy Current Library Budget Crisis, as amended to read: "That the American Library Association (ALA):

1. Immediately address the severe national erosion of budgetary support to all libraries with deliberate, concerted and unyielding effort by developing and instituting a critical crisis management approach to remedy library budgetary losses through the creation of an action plan to alert legislators, stake holders, and constituents to action through all media and interpersonal channels available; and
2. Communicates to the President of the U.S., all members of Congress, and all state governors that during tough economic times when people more than ever need the resources available in American libraries that those libraries more than ever need continued and increased government support."

MOVED, ALA CD#57, Resolution to Expand Electronic Participation, which read: "That ALA Council directs the Executive Director:

1. To implement the most cost effective solution to provide transparency and access to governance activities for the benefit of ALA members; and
2. To continue to monitor methods of improving Council transparency; and
3. Begin providing access to proceedings of governance sessions for Midwinter 2010.

APPROVED, A motion to amend ALA CD#57, Resolution to Expand Electronic Participation, as follows: "That ALA Council directs the Executive Director:

1. To implement the most cost effective solution to provide transparency and access to ~~governance Council~~ activities for the benefit of ALA members; and
2. To continue to monitor methods of improving Council transparency; and
3. Begin providing member electronic access to ~~proceedings of governance sessions~~ Council meetings for Midwinter 2010.

ADOPTED, ALA CD#57, Resolution to Expand Electronic Participation, as amended to read: "That ALA Council directs the Executive Director:

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