

ACTIONS TAKEN BY THE ALA COUNCIL AT THE 2011 ALA MIDWINTER MEETING

ALA Council I

Sunday, January 10, 2011, 10:00am-12:15pm

San Diego Convention Center, Ballroom 20 A/B, San Diego, CA

By CONSENT, Adopted ALA CD#2, 2010 ALA Annual Conference Council Minutes.

By CONSENT, Approved the following slate of candidates for the ALA Executive Board Election: **José Aponte**, Library Director, San Diego (CA) County Library; **Karen E. Downing**, University Learning Communities Liaison and Foundation & Grants Librarian, University of Michigan, Ann Arbor, MI; **Loida Garcia-Febo**, Coordinator, Special Services, Queens Library, Jamaica, NY; **Dora T. Ho**, Young Adult Librarian, Youth Services, Los Angeles (CA) Public Library; **Michael Porter**, Communications Manager/WebJunction, Seattle, WA; **Thomas (Tom) L. Wilding**, Professor of Practice, University of Arizona, SLIS, Tucson, AZ; **Gina A. Persichini**, Networking Consultant, Idaho Commission for Libraries, Boise, ID (floor nomination); and **Sylvia K. Norton**, School Library/Technology Planning Coordinator, Department of Education, Maine State Library, Augusta, ME (floor nomination).

POSTPONED, Action on ALA CD#32 Rev., Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" List, which read: "That the American Library Association directs the Executive Director, to the extent known at the initial announcement of conference registration and prior to the conference taking place, will inform attendees of conferences and exhibitions if a hotel is on the "Do Not Patronize" list of the local labor body sharing during an ALA event or is the object of a boycott because of the unfair labor practices of the hotel" until ALA Council II.

ADOPTED, ALA CD#35, Clarification within Job Listings as to the Presence or Absence of Domestic Partner Benefits, as amended to read: "That the American Library Association (ALA):

- (1) **requires encourages** that potential employers specify explicitly in their job announcements in ALA publications or website whether or not they provide domestic partner benefits by means of appending one of the following two phrases: 'Domestic-partner benefits are not offered by this institution' or 'Domestic-partner benefits are offered by this institution.'
- (2) urges other publishers and providers to **require encourage** potential employers to specify explicitly in their job announcements whether or not they provide domestic partner benefits by means of appending one of the following two phrases:

'Domestic-partner benefits are not offered by this institution' or 'Domestic-partner benefits are offered by this institution'".

ALA Council II

Monday, January 10, 2011, 10:00am-12:15pm

San Diego Convention Center, Ballroom 20 A/B

ADOPTED, the following four (4) action items contained in ALA CD#17, Policy Monitoring Committee (PMC) Report:

ITEM #1. ALA CD#43, A Resolution Reaffirming Equal Employment Opportunity for Gay, Lesbian, Bisexual and Transgender Librarians and Library Workers.

At the 2010 Annual Conference, ALA Council adopted ALA CD#43, A Resolution Reaffirming Equal Employment Opportunity for Gay, Lesbian, Bisexual and Transgender Librarians and Library Workers. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following changes in the *ALA Policy Manual*:

Change ALA Policy 54.16 from this text:

51.16–Gay Rights. The American Library Association Council reaffirms its support for equal employment opportunity for gay librarians and library workers. The Council recommends that libraries reaffirm their obligation under the *Library Bill of Rights* to disseminate information representing all points of view on this topic.

To this text:

54.16–Gay, Lesbian, Bisexual, and Transgender Rights. The American Library Association supports equal employment opportunity for gay, lesbian, bisexual, and transgender librarians and library workers.

ACTION ITEM #2. ALA CD#45, Revised, A Resolution on Non-Discrimination in Conference Contracts.

At the 2010 Annual Conference, ALA Council adopted ALA CD#45, Revised, A Resolution on Non-Discrimination in Conference Contracts. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following changes in the *ALA Policy Manual*:

Change ALA Policy 7.1.1 from this current text:

7.1.1. 2nd Paragraph – Non Discrimination in Conference Contracts

The ALA will enter into conference center site contracts only with organizations and legal bodies in cities, counties, or states that do not by law discriminate against lesbian, gay, and bisexual people.

To this text:

7.1.1–Non Discrimination in Conference Contracts

There shall be no discrimination, including that based on race, origin, color, sex, sexual orientation, creed or disability, in the use of any facilities used by the American Library Association. This policy shall become a part of ALA contracts for the use of space. The ALA will avoid entering, whenever possible, into convention center contracts with organizations and legal bodies in cities, counties, or states that by law discriminate against gay, lesbian, bisexual or transgender people. ALA will provide materials for promoting sensitivity to sexual orientation, gender identity, and gender expression for all employees on the floor of each convention center, including employees of companies to which the convention center has contracted for services on the floor of the convention.

ACTION ITEM#3. ALA CD#19.3, Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*.

At the 2010 Annual Conference ALA Council approved CD#19.3 Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*. These interpretations are traditionally represented in the *Policy Manual* by means of an abstract supplied by the originating committee, followed by a reference to the Policy Reference File, where the full text of the Interpretation resides. New interpretations are inserted in the order they are added. Therefore, PMC moves the insertion of

53.1.23 Prisoners' Right to Read as follows:

The American Library Association asserts a compelling public interest in the preservation of intellectual freedom for individuals of any age held in jails, prisons, detention facilities, juvenile facilities, immigration facilities, prison work camps and segregated units within any facility. Those who cherish their full freedom and rights should work to guarantee that the right to intellectual freedom is extended to all incarcerated individuals. Adopted 2010.

(See Policy Reference File: Prisoners' Right to Read: An Interpretation of the *Library Bill of Rights*: 2009–2010 ALA CD#19.3)

ACTION ITEM#4. EBD #12.19 Electronic Signatures

At the 2008 Fall Executive Board Meeting, the ALA Executive Board voted to support the use of electronic signatures wherever the American Library Association Constitution, Bylaws, and *ALA Policy Manual* require members to petition for candidacy or other action. To bring the *ALA Policy Manual* in agreement with this resolution, PMC moves the following change in the *ALA Policy Manual*:

Change Policy 6.2.1 from this current text:

6.2.1 Petitions for Establishment of New Units of ALA

Minimum acceptable standards for petitions requesting the establishment of new divisions, round tables, and other units of ALA are: 1) The purpose of the petition shall be clearly stated on a single sheet attached to each group of signature pages. 2) Each signature page shall contain this statement: "I favor this petition to..." 3) Petitioners shall sign and give library affiliation legibly. Failure to do so may result in the invalidation of the petition. 4) Information about this format and a sample petition will be supplied from ALA headquarters to anyone inquiring. 5) Petitioners shall be personal members of ALA.

To this text:

6.2.1 Petitions for Establishment of New Units of ALA

Petitions requesting the establishment of new divisions, round tables, and other units of ALA may be filed in electronic or paper format. Minimum acceptable standards for petitions requesting the establishment of new divisions, round tables, and other units of ALA are: For electronic petitions the process found on the ALA website shall be used in the petition process. For petitions using paper format, 1) The purpose of the petition shall be clearly stated on a single sheet attached to each group of signature pages. 2) Each signature page shall contain this statement: "I favor this petition to..." 3) Petitioners shall sign and give library affiliation legibly. Failure to do so may result in the invalidation of the petition. 4) Information about this format and a sample petition will be supplied from ALA headquarters to anyone inquiring. 5) Petitioners shall be personal members of ALA.

VOTED, To adopt the following three (3) action items contained in ALA CD#27, Committee on Organization Report (COO):

Item #1. To change the name of the Gay, Lesbian, Bisexual, and Transgendered Round Table to the Gay, Lesbian, Bisexual, and Transgendered ~~ed~~ Round Table.

Item #2. To amend the composition of the Web Advisory Committee by adding as an ex officio member the chair of the ASCLA Accessibility Assembly.

Item #3. To discontinue the ALA-AAP Joint Committee in favor of a more workable system of maintaining an important ongoing inter-association relationship. (**Note:** ALA CD#27.1 lays out the committee's history, its challenges, the logistical obstacles to making its current structure function, and the cultural differences between the two associations and a practical proposal to maintain an important inter-association relationship).

APPROVED, the FY2012 programmatic priorities (ALA CD#13.1, FY2012 Programmatic Priorities) for the American Library Association:

- Diversity
- Equitable Access to Information and Library Services
- Education and Lifelong Learning
- Intellectual Freedom
- Advocacy for Libraries and the Profession
- Literacy
- Organizational Excellence
- Transforming Libraries

VOTED, To bestow an ALA honorary membership upon Yohannes Gebregeorgis.

WITHDREW, ALA CD#34, Revised, Resolution in Support of Requiring the Right to Cancel Contracts with Hotels with Active Labor Disputes, which read: "That the American Library Association Council directs the Executive Director to:

- (1) inquire as to the union status of hotels at the time of booking and the expiration date of any collective bargaining agreements at the hotel, and require that the hotel provide updates regarding the start of any future collective bargaining discussions;
- (2) to the extent feasible, make every effort to use as main convention hotels only those in which a majority of the hourly workforce is represented by one or more labor unions; and
- (3) to the extent feasible, insert a clause in its contracts with hotels asserting the right to cancel its contract to use a hotel if that hotel is placed on the "Do Not Patronize" list by the local labor body, or is the site of a boycott, because of unfair labor practices, called by an organization which represents, or is seeking to represent, the hotel's employees.

ALA Council III

Tuesday, January 11, 2011, 8:00am-12:30pm

San Diego Convention Center, Ballroom 20 A/B

ADOPTED, The following memorials for George P. D'Elia, M-#1; Locke Morrissey, M-#2; Edward G. Holley, M-#2; Carolyn Wicker Field, M-#4; and Norman Horrocks (no document).

ADOPTED, The following tributes: 100th Anniversary of the Arkansas Library Association, T-#1; Retired Members Round Table (RMRT), T-#2; and John Ison on His Retirement from DEMCO, Inc., T-#3.

ELECTED, To three-year terms (2011-2014) on the Executive Board were: **Dora T. Ho**, Young Adult Librarian, Los Angeles (CA) Public Library; **Sylvia K. Norton**, School Library/Technology Planning Coordinator, Department of Education, Maine State Library, Augusta, ME; and **Michael Porter**, Communications Manager/Web Junction, Seattle, WA.

ADOPTED, the following action items contained in ALA CD#25, Constitution and Bylaws Committee Report:

Action Item #1

To amend ALA Constitution Article IX by replacing the entire article with the following language:

Article IX. Endowment Funds

1. Receipts from life memberships and all gifts for endowment purposes shall, subject to conditions attached thereto, constitute endowment funds. Subject to conditions legally incident thereto, such funds shall be in the custody of no fewer than three nor more than six appointed trustees. One or more of these appointed trustees shall be appointed by the Executive Board annually to hold office for three years from the date of appointment or until a successor shall be appointed.
2. The trustees shall have authority to hold, invest, reinvest, disburse, and otherwise deal with endowment funds in accordance with such directions as may be given them by the ALA Executive Board. The principal of and income from endowment funds shall be expended under the directions of the Executive Board but no such expenditures shall be made except in accordance with any conditions imposed by the donors of any such funds nor for any purposes which are not in consonance with the approved policies of the Association, nor shall principal be expended unless expressly permitted by the terms of the gift, or any amendment or modification thereof. No action shall be taken with reference to investment,

reinvestment, or other principal transaction with respect to securities held in the endowment fund, except upon a resolution adopted by or written order signed by a majority of the trustees.

3. The ALA Treasurer shall serve as an *ex officio* voting trustee.

Action Item #2a

To amend ALA Constitution Article VIII, Section 1 to include the parenthetical descriptor **(non-voting)** after the words "Executive Director" in the second sentence so that the sentence reads:

"The officers of the Association shall be a president, a president-elect, who shall serve as vice-president, an executive director **(non-voting)**, and a treasurer."

Action Item #2b

To amend ALA Constitution Article III by inserting **voting** before the word "members," so that the last sentence reads as follows:

"The Executive Board may suspend a member for cause after a hearing by a two-thirds vote of the **voting** members of the Executive Board and may reinstate a member by a three-fourths vote of the **voting** members of the Executive Board."

Action Item #2c

To amend ALA Constitution, Article VII, Section 4 by inserting the phrase **of the voting members** to read as follows:

"A majority **of the voting members** shall constitute a quorum of the Executive Board."

Action Item #3

To amend ALA Bylaw Article III, Section 1(b) and Section 1(d) as follows:

(b) Such committee shall nominate candidates from among the general membership for the position of president-elect annually; for the position of treasurer, whenever this is required by Article VIII, Section 1 of the Constitution; members-**at-large** of Council as provided in section[s] (c) **[and (e)]** below[;] , **including any vacant member-at-large positions [and to fill vacancies]**.

To eliminate Section 1(d) and renumbering the subsequent subsections.

Note: The Constitution and Bylaws Committee was advised that this item could be treated as a non-substantive change without submitting it to a membership vote and so recommends that process.

Action Item #4

To amend ALA Bylaw Article III, Section 4(a) to read as follows:

"The Executive Board shall appoint a Committee on Election which shall have charge of the conduct of the regular elections of the Association, [and] the divisions, and the roundtables, and the counting and tabulation of all votes cast."

Note: CBC was advised that this item could be treated as a non-substantive change without submitting it to a membership vote and so recommends that process.

Action Item #5a

To amend ALA Bylaw Article IV, Section 3 to read as follows:

"All elected at large, divisional, and roundtable councilors, except those elected to fill vacancies, shall serve terms of three years, commencing at the adjournment of the final ALA Council meeting of the annual conference following their election."

Action Item #5b

To amend ALA Bylaw Article IV, Section 5 to read as follows:

"A vacancy in the membership of Council representing the Association at large shall be filled at the following election to complete the unexpired term and take effect immediately after the election is certified."

ADOPTED, ALA CD#19.1, Resolution on Access to and Classification of Government Information, which read: "That the American Library Association (ALA):

- (1) commends President Barack Obama for establishing the National Declassification Agency and issuing Executive Order 13526 on Classified National Security Information and supports and encourages expanded initiatives to reform the U.S. classification system;
- (2) urges Congress to pass legislation that expands protections for whistleblowers in the Federal government, such as the Whistleblower Protection Enhancement Act of 2010;
- (3) urges the U.S. President, Congress, the federal courts, and executive and legislative agencies to defend the inalienable right of the press and citizens to disseminate information to the public about national security issues and to refrain from initiatives that impair these rights; and
- (4) affirms the principle that government information made public within the boundaries of U.S. law should be available through libraries and the press without restriction.

ADOPTED, ALA CD#20.1, Resolution Commending the U.S. Congress and the President on the Reauthorization of the Museum and Library Services Act, which read: "That the American Library Association commends the leadership of Senator Jack Reed, co-sponsors Senators Thad Cochran, Richard Burr, Tom Harkin, Susan Collins, Michael Enzi, and Jon Tester and the members of the United States Senate and House of Representatives, and President Barack Obama for their efforts to sustain the federal role supporting library services, as the cornerstone of our nation's information infrastructure."

ADOPTED, ALA CD#20.2, Resolution Commending President Obama and the U.S. Senate in Nominating and Confirming Susan Hildreth to be IMLS Director, which read: "That the American Library Association commends President Obama for nominating Susan Hildreth to serve as director of IMLS and the United States Senate for confirming her."

ADOPTED, ALA CD20.3, Resolution Thanking Bob Tapella for His Service as the 25th Public Printer of the United States, which read: "That the American Library Association express gratitude to Mr. Tapella for his service as the nation's 25th Public Printer."

ADOPTED, ALA CD20.4, Resolution to Commend Senator Jack Reed for His Efforts to Recognize Libraries as Essential Community Organizations during Disasters, which read: "Resolved the American Library Association (ALA) commends Senator Jack Reed for his tireless efforts working to convince the Federal Emergency Management Agency (FEMA) to amend its policies to recognize libraries as essential community organizations, thus entitled to reimbursement for temporary relocation facilities."

DEFEATED, A motion to amend ALA CD#32 Rev., Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" List, by deleting the above resolved clause and replacing it with the following new language: "**Executive Director will provide registrants with information on how to determine whether there are labor disputes at hotels with contracted housing blocks, so that registrants can decide whether to utilize the information when making hotel choices.**" Also, to amend the name of the resolution to read: **Resolution on Labor Disputes.**

DEFEATED, A motion to adopt ALA CD#32 Rev., Resolution on Notifying Conference and Meeting Attendees of Hotels Named on "Do Not Patronize" List, which read: "That the American Library Association directs the Executive Director, to the extent known at the initial announcement of conference registration and prior to the conference taking place, will inform attendees of conferences and exhibitions if a hotel is on the "Do Not Patronize" list of the local labor body sharing during an ALA event or is the object of a boycott because of the unfair labor practices of the hotel."

ADOPTED, ALA CD#39, Resolution in Support of Requesting Congress to Reintroduce and Vote on the Dream Act, Rev., 1/10/11, 5:54pm, which read: "That the American Library Association (ALA):

- (1) urges members of the Congress of the United States to re-introduce and vote for the DREAM Act;
- (2) urges members of the Congress to include community service and vocational education – in addition to attending college and joining the military – as a pathway to citizenship; and
- (3) asserts that having higher education, military service, or community service will provide these immigrant children greater success in life through higher lifetime earnings, higher income tax contributions, greater contributions to the economy, and less reliance on government assistance."

ADOPTED, ALA CD#36 Revised 1/11/11, 10:27am, Resolution on the Removal and Censorship of Artwork from the Smithsonian Institution's National Portrait Gallery, which read: "That the American Library Association (ALA):

- (1) commends the National Portrait Gallery for its inclusion of materials that reflect the diversity of our society, including those related to religious viewpoint, specifically as presented in the Hide/Seek Exhibition;
- (2) commends the National Portrait Gallery for its inclusion of materials that reflect the diversity of our society, including those related to sex, gender identity, and sexual orientation, specifically as presented in the Hide/Seek Exhibition; (ALA Resolution on Threats to Library Materials Related to Sex, Gender Identity, or Sexual Orientation);
- (3) condemns the censorship of the Hide/Seek Exhibition at the National Portrait Gallery;
- (4) urges the National Portrait Gallery to immediately reinstate the video artwork by David Wojnarowicz to the Hide/Seek Exhibition at the National Portrait Gallery;
- (5) urges the National Portrait Gallery to refuse to censor by removal or alteration other works of art from any exhibition or collection; and
- (6) urges the Smithsonian Institution to fight censorship of works of art or collections dealing with any subject matter, including sex, gender identity, sexual orientation, or religious viewpoint in its national galleries, museums, archives and libraries."

TABLED, ALA CD#37 Rev., 1/10/11, Resolution on WikiLeaks and Federal Agencies, which read: "That the American Library Association (ALA):

- (1) calls for the amendment of Executive Order 13526, Classified National Security Information (December 29, 2009) to exclude publicly available information;
- (2) calls for the amendment of any other executive orders, public laws, or federal regulations that forbid access to publicly available information; and
- (3) calls for all US government agencies to follow the example of the Library of Congress in unblocking and providing access to documents available on WikiLeaks."

TABLED, ALA CD# 38 Rev., 1/10/11, Resolution in Support of WikiLeaks, which read: "That the American Library Association (ALA):

- (1) supports the rights of WikiLeaks to publish leaked government documents;
- (2) commends the efforts of WikiLeaks to expunge from documents names and other material deemed potentially harmful to innocent people;
- (3) commends WikiLeaks for performing a public service by making available important documents related to foreign and military policy;
- (4) urges libraries to link their websites to the WikiLeaks websites; and
- (5) condemns the harassment of WikiLeaks volunteers.