

CONSTITUTION & BYLAWS COMMITTEE REPORT TO ALA COUNCIL (CD#25.1)
ALA ANNUAL 2023
COUNCIL I
JUNE 24, 2023

TO: ALA Council
FR: Brian E. C. Schottlaender, *Chair*
ALA Bylaws Committee
RE: Information Report/Action Items

I. INFORMATION REPORT

- A. Following adoption of the General Revision of the ALA Bylaws in April, the Chairs of the Bylaws Committee, COO (the Committee on Organization), and PMC (the Policy Monitoring Committee) forwarded to ALA staff names of ALA members suggested for possible inclusion on the ALA Policy Manual Revision Working Group. This joint working group of these three committees is charged with revising the ALA Policy Manual to include recommended policy insertions from the adoption of the Bylaws General Revision.

The Joint Working Group has now been constituted and includes, besides myself, Elena Carrillo, Aaron Dobbs, Carl Harvey, Toni Negro, Andrew Pace, Mark Robison, Mary Rzepczynski, and Daniella Smith. The Working Group will be co-chaired by myself and Elena Carrillo (the incoming Chair of PMC) and will be staffed by Marsha Burgess, Sheryl Reyes, and Holly Robison. Ms. Carrillo and I have already had our first meeting via Zoom and are meeting here in Chicago to continue our norming and storming before scheduling our first Working Group meeting following this conference.

The Joint Working Group is charged with completing its work by LLX 2025.

II. ACTION ITEM

A. MOTION

On behalf of the ALA Bylaws Committee, I move to amend Article VIII, Section 1(A) of the ALA Bylaws via editorial update by striking:

“A. *Standing Committees*. The standing committees of the Association named in these *Bylaws* are the Bylaws Committee, the Committee on Appointments, the Committee on Committees, the Committee on Organization, the Election Committee, the Intellectual Freedom Committee, the Nominating Committee, and the Policy Monitoring Committee. Additional standing committees may be adopted by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.”

And inserting instead:

“A. *Standing Committees*. The standing committees of the Association shall be established by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.”

Rationale

Article XVII, Section 3 of the ALA Bylaws provides that “The Council, upon recommendation of the Bylaws Committee, may make such editorial changes in these *Bylaws* as do not change their substance and meaning.” After review and consultation, the committee believes that an editorial change to remove the listing of individual standing committees in Article VIII does not change the substance or meaning of the Article and adds clarity by removing uncertainty and the incorrect belief that a standing committee not listed in Article VIII does not exist. Once created, a standing committee—current or future—continues to exist until dissolved by the Council.

Note

Only the Bylaws Committee can bring forth a change in this way (see rationale above). All other amendments must go through the normal amendment process. As per usual, approval of the change requires a majority vote in the affirmative. If approved by Council, an editorial change goes into effect immediately and need not go to the membership for approval.

| CURRENT LANGUAGE | AMENDMENT | IF ADOPTED WILL READ |
|---|--|---|
| <p>A. <i>Standing Committees.</i> The standing committees of the Association named in these <i>Bylaws</i> are the Bylaws Committee, the Committee on Appointments, the Committee on Committees, the Committee on Organization, the Election Committee, the Intellectual Freedom Committee, the Nominating Committee, and the Policy Monitoring Committee. Additional standing committees may be adopted by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.</p> | <p>A. <i>Standing Committees.</i> The standing committees of the Association named in these <i>Bylaws</i> are the Bylaws Committee, the Committee on Appointments, the Committee on Committees, the Committee on Organization, the Election Committee, the Intellectual Freedom Committee, the Nominating Committee, and the Policy Monitoring Committee. Additional standing committees may be adopted by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.</p> <p>A. <i>Standing Committees.</i> The standing committees of the Association shall be established by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.</p> | <p>A. <i>Standing Committees.</i> The standing committees of the Association shall be established by resolution of the Council. The Committee on Organization shall recommend to Council the name, size, composition, and charge of any such committee.</p> |

In closing, I want to thank the other members of the Bylaws Committee. Several are departing for other ALA assignments, including Michael Cerbo, Ed Garcia, Mike Marlin, Mary Rzepczynski, and our Advisor Aaron Dobbs. Others are continuing, including Emily Daly, H Pedelty, and Cara Stone, as is our Executive Board Liaison Peter Hepburn. All of these colleagues have been wonderful to work with this past year, as have Sheryl Reyes and Adrian Stratton. I look forward to working next year with those continuing and to welcoming Mark Robison and David Stokes to the Committee.

Respectfully submitted,

Brian E. C. Schottlaender, *Chair*

Emily Daly

Ed Garcia

Mike L. Marlin

Mary Rzepczynski

Cara B. Stone

Michael Cerbo, *Associate*

Aaron W. Dobbs, *Advisor*

H J Pedelty, *Advisor*

Peter Hepburn (Executive Board Liaison)

Sheryl Reyes (Director, Office of ALA Governance, Staff Liaison)