

**2013-2014 ALA CD#2.1— 6/16/14 (act)**  
**2014 ALA Annual Conference**

**ALA COUNCIL**

**MINUTES**

**2014 ALA MIDWINTER MEETING**

**Philadelphia, Pennsylvania**

*AMERICAN LIBRARY ASSOCIATION*

**VOLUME 51**

## ALA COUNCIL MINUTES

2014 ALA Midwinter Meeting  
ALA Council/Executive Board/Membership Information Session  
Saturday, January 25, 2014  
3:00–4:30 p.m.  
Pennsylvania Convention Center  
Grand Ballroom B  
Philadelphia, Pennsylvania

The customary information session was held in accordance with Policy A.4.2.5.2, which states that at least one joint session of the Membership and Council with the Executive Board shall be held for information only prior to other meetings of Council and Membership. The information session was convened at 3:00 pm on Saturday, January 25, in Grand Ballroom B of the Pennsylvania Convention Center.

**INTRODUCTIONS AND ANNOUNCEMENTS.** President Barbara K. Stripling introduced Parliamentarian Eli Mina; ALA President-Elect Courtney L. Young; and ALA Executive Director and Secretary of the Council Keith Michael Fiels. ALA staff members assisting with the Council meetings were JoAnne Kempf, Director, Office of ALA Governance; Lois Ann Gregory-Wood, ALA Council Secretariat; Danielle Alderson, Projectionist; and Heather Theriaque, Captionist.

**PRESIDENT’S REPORT, ALA CD#21.** ALA President Barbara K. Stripling reported on the following projects and initiatives:

**Declaration for the Right to Libraries.** The Declaration has been signed at 26 state conferences; at international events, including IFLA in Singapore; the National Book Festival, the School Library Journal Summit, and the AASL national conference.

The Declaration has also been translated into Finnish by the Finnish Library Association. The Finnish Library is working with Finland’s Swedish Library Association to also translate the Declaration into Swedish.

Signatories have included librarians and library workers, members of the community, public officials, authors, and communication organizations. Rand Simmons, Washington State Librarian, has arranged an official signing ceremony with Governor Jay Inslee and Schools Head Randy Dorn, as well as public display and petition-style signing at the state capital building.

Stripling stated that the point of the Declaration is that “this is a statement of our values and our impact that I hope lives on and that we can all use for conversations with our communities.”

Signed Declarations will be presented at a ceremony during Legislative Day in May 2014, and can be used as evidence of public support by those visiting their legislators.

**Summit on the Future of Libraries.** In partnership with the Library of Congress, a national invitational summit, *Libraries From Now On: Imagining the Future*, will be held May 2-3, 2014, in Washington, DC. A small group of both librarians and non-librarians will be invited to have a conversation about the future of libraries.

**Continuing ALA Initiatives: Libraries Transforming Communities.** ALA has received a grant of \$1.5 million from the Bill and Melinda Gates Foundation to fund a two-year project, *Libraries Transforming Communities*.

The two-year project includes professional development, and coaching of participating librarians, ALA staff and member leaders to expand the role of libraries in their communities. Training will be offered in person, through conference-based and distance-learning opportunities, and through free digital resources.

Although this project is directed toward public libraries, the new tools, resources, and support mechanisms developed through this grant will benefit all types of libraries.

**Continuing ALA Initiatives: Digital Content.** The Digital Content and Libraries Working Group advises ALA regarding opportunities and issues related to libraries and digital content and the provision of equitable access to digital content for all. This group reviews issues related to pricing, preservation of digital content, accessibility, privacy, and licensing contracts of e-books. In addition, this group investigates opportunities for libraries to facilitate access to

and production of e-publications in many forms, including locally produced content.

**School Libraries.** ALA is developing a multifaceted school library advocacy campaign to address the national crisis in school librarians by raising the awareness about the value of school libraries and school librarians. The campaign's goal is to create ongoing, sustained support for school libraries among national and state policy makers, school districts, administrators, teachers, parents, and students.

Another goal is to ensure all types of libraries and library workers and librarians work together collaboratively to empower all our children, from the youngest age all the way through to adulthood.

President Stripling will send Council and the ALA divisions a draft of the plans to move the "re-imagining ALA" conversations forward into a strategic action. An accompanying document also will be sent that outlines three strategic initiatives that reflect the conversations and deliberation of ALA members and member leaders.

**ALA PRESIDENT-ELECT'S REPORT, ALA CD#29.** Courtney L. Young said her presidential plan is to bolster the work of Presidents Barbara Stripling and Maureen Sullivan to have a sustained leadership focus for the Association and carry on current ALA initiatives. Young noted that ALA has a significant number of presidential initiatives that have had a significant impact on the Association, libraries and communities that need to continue to move forward.

Other information about Young's initiatives, travel and speaking schedule over the last few months are outlined in ALA CD#29.

**ALA EXECUTIVE DIRECTOR'S REPORT, ALA CD#23.** Keith Michael Fiels highlighted the following items: FY14 appropriations figures for Library Services and Technology Act (LSTA) funding; ten librarians receiving the "I Love My Librarian Award"; the Libraries Transforming Communities grant funded by the Gates Foundation; ALA's kitchen table conversations at the 2014 Midwinter Meeting and upcoming Annual Conference; the creation of a new brochure entitled "Why ALA?" to communicate the value of ALA memberships; under the leadership of ALCTS, created a digital repository for ALA documents with the University of Illinois.

Fiels also noted that the Resource Description & Access (RDA) Toolkit is significantly ahead of projections and renewal rate looks positive.

As was noted in his report, Fiels announced the Oklahoma Department of Libraries (ODL) and the Oklahoma Library Association (OLA) Library Board have approved the American Library Association-Allied Professional Association's (ALA-APA) Library Support Staff Certification (LSSC) program as meeting requirements of the Oklahoma Public Librarian Certification Program at the highest level. He said this was an important step forward because it is the first instance in what, he hopes, will be 49 other instances of the ALA-APA standards being adopted similarly in the other states.

In conclusion, Fiels said the second ALA Leadership Institute will occur on August 10-14, 2014. It will be led by past ALA President Maureen Sullivan and ACRL Content Strategist Kathryn Deiss, and will include a structured learning track and the opportunity for individual development.

Fiels then responded to questions from the floor.

**BUDGET ANALYSIS AND REVIEW COMMITTEE (BARC) REPORT, ALA CD#33.** At the 1987 Midwinter Meeting, the ALA Council voted that BARC should report to Council at each ALA Midwinter Meeting and Annual Conference. Patricia A. Wand, Chair of BARC, provided an overview of the first quarter (September 2013-November 2013) and the preliminary results of FY14.

Wand then informed the audience of BARC's "Finance Best Practices Update" session held at every Midwinter. This session is designed to help ALA members understand the budgeting process and work within it as they do their planning. BARC has also developed five webcasts to bolster the continuing education on the different aspects of planning and budgeting in the Association (<http://www.ala.org/aboutala/governance/financialdata/treasurerspage>).

BARC is also compiling a handbook of financial practices, which is targeted to be available within the next year.

**ALA TREASURER'S REPORT, ALA CD#13.** Mario M. Gonzalez, ALA Treasurer, presented the 2013 audited financial results. ALA total revenues were \$50.3 million. ALA revenues from operations for the year increased by \$612,000 to approximately \$50.3 million. The two areas that accounted for most of the gain were grants and awards, and publishing-related advertising.

Other financial highlights included:

- A \$169,000 decline in dues and revenues as a result of a decline in membership.

- An increase of \$556,000 in advertising revenue primarily in Booklist, ALA Editions, and *American Libraries*.
- A \$914,000 decrease in meeting and conference revenue due to only one divisional conference during FY2013 as opposed to two divisional conferences in FY2012.
- A decrease in payroll expenses of \$363,000 as a result of staff reductions which were part of a management cost-cutting effort, as well as not filling positions that became vacant for various reasons throughout the year.
- ALA staff received a two-percent organizational incentive – a one-time increase in 2013. This is one of three organizational incentives staff received in the last four years.

**ALA ENDOWMENT TRUSTEES' REPORT, ALA CD#16.** Rod Hersberger, chair, reported that at the end of 2013, the value of the Endowment stood at \$37,288,932. This value is an improvement of \$14 million or 61% from the recessionary depth of \$23,421 in 2008. The Endowment's performance has been relatively robust since 2008.

Hersberger reported that the U.S. Federal government has kept interest rates low for several years, so fixed-income investments have struggled and compare poorly with equities.

Corporate bonds did somewhat better than government securities. Hybrids like convertible securities did rather well, and real estate investment trusts performed better than fixed income, but not nearly as well as equities.

Because ALA maintains a balanced portfolio, terrible years like 2008 could have been a great deal worse. Hersberger stated that in 2008, equity indexes plunged by a third or more while the value of our Endowment dropped only 24%.

Hersberger noted that prior to the Trustees' meeting in September 2013 in Chicago, ALA advisors from Merrill Lynch designed a very useful and informative webcast about investing and the roles and responsibilities of being a Trustee. Since the webcast had voice interaction for all participants, it allowed for lively interaction.

At their face-to-face meeting, the trustees continued the orientation and learning experience by giving the investment policy a thorough review.

As the Association's capital has grown and the knowledge base of the Trustees has become more sophisticated, they have broadened the asset classes in which we invest.

In closing, Hersberger said that developing markets are somewhat uneven, so it is difficult to predict whether investments in that sector will keep pace with equity markets in the US and Western Europe. In any event a well-balanced, diversified portfolio will serve ALA well as it has in the past.

Hersberger thanked ALA Senior Financial Analyst Keith Brown for his assistance, and recognized his fellow Trustees, Mario Gonzalez, ALA Treasurer, Kate Nevins, and Robert Walton.

#### **2014 ALA NOMINATING COMMITTEE REPORT, ALA CD#26-26.1.**

Andrew K. Pace, member of the Nominating Committee for the 2014 ALA election, presented the committee's report on behalf of Stephen L. Matthews, Chair, who was unable to attend this meeting.

The ALA President-Elect candidates for the upcoming 2014 ALA election are Maggie Farrell, Dean of Libraries, University of Wyoming, Laramie, WY; and Sari Feldman, Executive Director, Cuyahoga County Public Library, Parma, OH. Presidential candidates were asked to stand for recognition. The revised slate of nominees for Councilors-at-Large is listed in ALA CD#26.1.

ALA Bylaws Article III, Section 3B, provides that “the ALA Nominating Committee shall also include on the official ballot other nominations filed with the executive director by petition of any twenty-five (25) members of the Association at least four months before the annual conference, provided written consent of these nominees shall have been filed with the executive director of the Association.” Keith Michael Fiels reported that to date, no petitions have been filed for the office of ALA Vice-President/President-Elect. Petitions with consent have been filed for the office of ALA Councilor-at-Large from Mary Biblo, Librarian Emeritus, Stony Brook, NY; Tina S. Chan, Allston, MA; Matthew P. Cizek, Head Librarian, Penn State, Shenango Lartz Memorial Library, Sharon, PA; John C. DeSantis, Cataloging & Metadata Services Librarian, Dartmouth College, Hanover, NH; Christine Lind Hage, Director, Rochester Hills Public Library, Rochester, MI; Dora T. Ho, Young Adult Librarian Los Angeles (CA) Public Library; Em Claire Knowles, Assistant Dean, Simmons College, Boston, MA; Andrew K. Pace, Executive Director, Networked Library

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Service, OCLC, Dublin, OH; Brenda Pruitt-Annisette, Assistant Professor/Coordinator of Media Services, Chicago State University, Chicago, IL; and Laura Koltutsky, Associate Librarian, University of Calgary, Alberta, Canada.

Pace acknowledged the members of the Committee, who included Stephen Matthews, Chair; Nick Buron; Nancy Everhart; John DeSantis; Adriene Lim; Eva Poole; and Karen Schneider. He also acknowledged with thanks JoAnne Kempf, who served as the committee's staff liaison.

Electronic balloting will begin on March 19, 2014. Polls will close on April 25, 2014. The results of the election will be announced on May 2, 2014.

**ADJOURNMENT.** After several brief announcements, the meeting was adjourned at 4:30pm.



**ALA Council I  
Sunday, January 26, 2014  
8:30am–11:00am  
Pennsylvania Convention Center  
Grand Ballroom B**

The first meeting of the ALA Council during the 2014 ALA Midwinter Meeting was convened at 8:30am on Sunday, January 26, 2014, in the Grand Ballroom B of the Pennsylvania Convention Center.

**ANNOUNCEMENTS AND INTRODUCTIONS.** President Barbara K. Stripling introduced Parliamentarian Eli Mina, President-Elect Courtney L. Young, and ALA Executive Director and Secretary of the Council Keith Michael Fiels. ALA staff members assisting with the Council meetings were JoAnne Kempf, Director, Office of ALA Governance; Lois Ann Gregory-Wood, Council Secretariat; Danielle Alderson, Projectionist; and Heather Theriaque, Captionist.

Special guests included ALA Presidential Candidates: Maggie Farrell, Dean of Libraries, University of Wyoming, Laramie, WY; and Sari Feldman, Executive Director, Cuyahoga County Public Library, Parma, OH. Other guests included Em Claire Knowles, ALA Councilor and ALA Legacy Society Member, Spectrum Champion; Ann K. Symons, ALA Past Treasurer and President; David S. Mao, Law Librarian of Congress, Library of Congress, Washington, DC; Nancy Friedland, President, Theatre Library Association; Paula Gilbert, Immediate Past President, Pennsylvania Library Association; Deb Hoadley, President, New England Library Association; Sara Kelly Johns, President, New York Library Association and ALA Executive Board Member; Linda McCarthy, President-Elect, Florida Library Association; Brenda Metzger, President, Kentucky Library Association; Suzy Palmer, President-Elect, Virginia Library Association; Eileen M. Palmer, President, New Jersey Library Association; Christine Payne, President, Delaware Library Association; Devona Pendergrass, President, Arkansas Library Association; Gayle Roberts, Chair-Elect, Nebraska Library Association; Wendy Stephens, President-Elect, Alabama Library Association; John C. Venditta, President-Elect, Maryland Library Association; Laura Whayne, President-Elect, Kentucky Library Association; Amanda J. Wilson, President, District of Columbia Library Association; and Cathy Wolford, President, Michigan Library Association.

**THE ATTENDANCE AND VOTING RECORD** is attached as Exhibit 1.

**QUORUM.** A quorum was established at the beginning of each meeting.

**RULES FOR ALA COUNCIL MEETINGS, ALA CD#5.** By *CONSENT*, the ALA Council adopted the Rules for ALA Council Meetings.

**ESTABLISHING THE AGENDA, ALA CD#8.1 Revised (1/15/14).** By *CONSENT*, the following resolutions were added to the Council I agenda under “new business”: Resolution on Electronic Communications for ALA Council, ALA CD#34; Resolution to Improve Member Access to ALA Unit Governing Information, ALA CD#35; and Resolution on Whistleblower Edward Snowden, ALA CD#37.

By *CONSENT*, ALA CD#37, Resolution on Whistleblower Edward Snowden, was moved to the Council II Agenda on Monday, January 27, 10:00am-12:15pm.

By *CONSENT*, ALA CD#8.1 Revised (1/15/14) was adopted as amended.

**2013 ALA ANNUAL CONFERENCE COUNCIL MINUTES, ALA CD#2.** By *CONSENT*, the Minutes were adopted as distributed.

**NOMINATIONS FOR EXECUTIVE BOARD ELECTION, ALA CD#11.** President-Elect Courtney L. Young, chair, 2013-2014 Committee on Committees, read the names of the candidates for the Council election to the ALA Executive Board, which included: Aaron W. Dobbs, Systems & Electronic Resources Librarian, Shippensburg University of Pennsylvania, Shippensburg, PA; Peter D. Hepburn, Head Librarian, College of the Canyons, Santa Clarita, CA; Mike L. Marlin, Director, Braille and Talking Book Library, California State Library, Sacramento, CA; Gina A. Persichini, Networking Consultant, Idaho Commission for Libraries, Boise, ID; Alexandra P. Rivera, Student Enrichment & Community, Outreach Librarian, University of Michigan Library, Ann Arbor, MI; and Gail A. Schlachter, President, Reference Service Press, El Dorado Hills, CA. There were no nominations from the Council floor.

The first three candidates receiving the highest number of votes will be elected to three-year terms and will be seated on the Executive Board following the close of the 2014 ALA Annual Conference in Las Vegas. The fourth candidate receiving the

greatest number of votes will be seated at the third Executive Board meeting at this Midwinter Meeting to complete the unexpired five-month term, January 28 through July 1, 2014, of Sylvia K. Norton, recently appointed Executive Director of the ALA American Association of School Librarians.

As any one of the nominated candidates could be elected to the five-month term that begins at this Midwinter Meeting, all candidates should be prepared to remain in Philadelphia until Tuesday evening, January 28, or Wednesday morning, January 29, 2014.

An Executive Board Candidates Forum will be held on Monday, January 27, 2014, 12:30pm.-1:30pm. The forum will allow Council members an opportunity to hear the views and ask questions of the Executive Board candidates.

The election results will be announced at ALA Council III on Tuesday, January 27, 2013, 9:30am–12:30pm.

**APPOINTMENT OF TELLERS FOR THE ELECTION, ALA CD#11.1.**

Councilors John C. Sandstrom, chair; Brenda Pruitt-Annisette; Kent Slade; and Denise Zielinski volunteered to serve as election tellers.

**REVIEW OF EXECUTIVE BOARD ACTION SINCE THE 2013 ANNUAL CONFERENCE, ALA CD#15.**

ALA Executive Director Keith Michael Fiels highlighted various actions taken by the ALA Executive Board since the 2013 ALA Annual Conference. Fiels reported that the Board:

*APPROVED*, A one-time 2% organizational incentive for ALA employees for FY2013 and approved the restoration of the 10% voluntary salary reduction for ALA senior management staff for FY2013.

*APPROVED*, The continuation of a 10% voluntary salary reduction for the Executive Director and Senior Associate Executive Director for fiscal year 2014 with the proviso that these reductions will be restored if there is a positive year-end financial outcome and that no salary reductions will be included in the FY2015 budget.

*APPROVED*, That if FY2014 budget results are better than anticipated, staff compensation be the first priority,

*MOVED*, To enter into an agreement with the trustees of the Margaret Alexander Edwards Trust, under which the ALA Endowment Trustees will be appointed as the sole trustees of the Margaret Alexander Edwards Trust, which will be administered in accordance with the ALA Endowment policies and the terms of the trust.

*MOVED*, To uphold the Committee on Accreditation's decision to withdraw accreditation from the Master of Library Science Program at Southern Connecticut State University.

*MOVED*, To authorize the use of the *Statement of Appropriate Conduct at ALA Conferences*, which is in accordance with existing ALA policy and existing legal frameworks, for use in conjunction with ALA conferences

SRRT Councilor Al Kagan noted that in the past the SRRT has held peaceful demonstrations in opposition to various items. He wanted on go record to make sure that statement does not prohibit and obstruct ALA members from organizing civil liberties demonstrations/activities.

A question arose regarding the availability of written procedures on what happens after a harassment allegation is registered. ALA Executive Director Keith Michael Fiels said that based on a meeting with legal counsel Paula Goedert additional information will be sent out to ensure that ALA members will feel comfortable in informing the ALA Conference Services staff about such situations.

It was questioned whether the *Statement of Appropriate Conduct at ALA Conferences* would be incorporated into the *ALA Policy Manual* for easy member access. President Barbara Stripling responded that as the Statement is not policy, only guidelines, the appropriate placement needed to be determined.

**IMPLEMENTATION OF ALA 2013 ALA ANNUAL CONFERENCE COUNCIL ACTIONS, ALA CD#9.** Executive Director Keith Michael Fiels provided a status report on various items discussed/adopted at the ALA Council at the 2013 ALA Annual Conference in Chicago, Illinois.

**DIGITAL CONTENT AND LIBRARIES WORKING GROUP (DCWG), ALA CD#30.** Co-chairs Sari Feldman and Bob Wolven presented an update on DCWG's activities since the 2013 Annual Conference. Sari Feldman said that DCWG is very pleased to note that all of the "big five" publishing houses, previously

the “big six” publishing houses, are now selling digital content to libraries. Feldman commented that ALA has had incredible recognition for its efforts to get the big five to sell digital content to all libraries.

Feldman also commented on a quote by Anthony Albanese from *Publishers Weekly* which gives due recognition to the American Library Association.

Feldman stated that while this is a time to celebrate accomplishments, there's much work to be done. Just with the big five alone, the pricing still needs to be addressed, but there are many other issues being taken up by the Digital Content and Libraries Working Group as they proceed.

Bob Wolven reported that at this Midwinter Meeting, the Working Group has devoted almost its entire meeting considering the future of the agenda for the group and of the group itself.

As the life of the working group (unless extended) officially ends at the close of the 2014 ALA Annual Conference, the DCWG has been conducting a self-assessment of its accomplishments and how it works with the objective of conveying recommendations to the ALA leadership about the agenda that still needs attention and how best it might be carried out, not necessarily through a perpetual committee, but with some recommendations for the future of the group and its work.

In conclusion, Wolven thanked the ALA leadership and the OITP staff for their support, attention, and focus on this group.

Wolven also thanked his co-chair Sari Feldman for making this a pleasurable and relatively easy experience.

## **NEW BUSINESS:**

**RESOLUTION ON ELECTRONIC COMMUNICATIONS FOR ALA COUNCIL, ALA CD#34.** Councilors John A. Sandstrom and Lauren Comito moved and Council

*VOTED*, (1) The ALA President shall appoint a task force of the Council to work with ALA HQ staff to:

- a. Examine and revise as needed the guidelines for the Council email lists and electronic communications,
  - b. Determine when various Council Documents should be available to the membership-at-large and the public-at-large,
  - c. Determine what options are available for sharing Council Documents and what are the capabilities, requirements, and consequences of each option,
  - d. Make recommendations to Council regarding which option(s) should be adopted,
  - e. Determine a schedule for re-examining these issues.
- (2) The task force shall prepare an interim report for Annual 2014.
- (3) The task force shall prepare a final report and recommendations for Midwinter 2015.

**RESOLUTION TO IMPROVE MEMBER ACCESS TO ALA UNIT GOVERNING INFORMATION, ALA CD#35.**

Councilors Gina Persichini and Suzanne Sager, moved that the American Library Association shall change Policy A.7.4 to include all governing bodies of ALA Division and Round Tables link their meeting minutes from the unit's ALA-hosted webpage within 30 days of approval of the minutes.

In speaking to the resolution, Persichini said that this resolution is not about Council documents, nor about ALA or Council committees. ALA policy already addresses the matter of meeting minutes for Council and ALA Executive Board. The ALA Committee on Organization, COO, is addressing consistent reporting of ALA and Council committees.

This resolution addresses the ability of ALA members to stay abreast of division and round table executive committee activities. Since not all ALA members are able to attend Midwinter Meetings or Annual Conferences, and since those that do attend are unable to attend every meeting, she believed that sharing meeting minutes of division and round tables' governing bodies is a reasonable alternative to keep membership and prospective members informed of the activities of the units.

For clarification, a definition of "governing bodies" was requested, since many of the divisions not only have main governing bodies, but they also have sections with

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governing bodies. It was unclear as to whether the governing bodies of division sections were also included in this motion or not.

Following other calls for clarification on the language of the resolution, Councilor Larry Romans moved and Council

*VOTED*, That further discussion and action on Resolution to Improve Member Access To ALA Unit Governing Information, ALA CD#35, be postponed until Council II, Monday, January 27, 10:00am-12:15pm.

**ADJOURNMENT.** After several announcements, the meeting was adjourned.

**ALA COUNCIL II**  
**Monday, January 27, 2014, 10:00am–12:15pm**  
**Pennsylvania Convention Center**  
**Grand Ballroom B**

The second meeting of the ALA Council during the 2014 ALA Midwinter Meeting was convened at 10:00am on Monday, January 27, 2014, in the Pennsylvania Convention Center, Grand Ballroom B.

**QUORUM.** A quorum was established at the beginning of each meeting.

**ESTABLISHING THE COUNCIL II AGENDA, ALA CD#8.2 *Revised*** (1/26/14\_9:42pm). By **CONSENT**, the Council II Agenda, ALA CD#8.2 *Revised* (1/26/14\_9:42pm) was adopted as presented.

**ALA TREASURER'S REPORT, ALA CD#13.** Mario M. Gonzalez, moved and Council

**APPROVED**, the FY2015 programmatic priorities (ALA CD#13, FY2014 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

**COUNCIL POLICY MONITORING COMMITTEE (PMC) REPORT, ALA CD#17.** Councilor William (Bill) L. Turner, Jr., chair, moved the following item contained in the ALA CD#17, Policy Monitoring Committee (PMC) Report:

**Item #1.** At the 2013 ALA Annual Conference, the ALA Council adopted a Resolution on Prayer in ALA Meetings (2012-2013 ALA CD #44), as amended to read:



“The American Library Association, as a secular institution in a country that is increasingly diverse religiously, refrains from having public prayers during its meetings. Moments of silence may be observed during meetings.”

**FREEDOM TO READ FOUNDATION (FTRF) REPORT, ALA CD#22.**

FTRF President Julius C. Jefferson, Jr., reported on the following FTRF items:

**Item #1. *ARCE v. HUPPENTHAL.*** At the Midwinter Meeting in Dallas in 2012, the ALA Council adopted the Resolution in Support of Intellectual Freedom in Tucson Unified School District Mexican American Studies Program, which opposed restriction of access to materials in open inquiry and ethnic and cultural studies programs in Arizona and condemns the suppression of open inquiry and free expression caused by closure of ethnic and cultural studies programs on the basis of partisan or doctrinal disapproval; and condemns the confiscation and restriction of access to educational materials associated with ethnic and cultural studies program; and urges the Arizona legislature to repeal the sections of the statute related to school curriculum.

On November 25, 2013, the Freedom to Read Foundation filed an amicus brief in the *Arce v. Huppenthal*, better known as the Tucson Mexican American studies case.

This lawsuit, filed by teachers and students in Tucson Unified School District against the Arizona Superintendent of Public Instruction and other state officials, challenges the constitutionality of an Arizona revised statute which prohibits the use of class materials or books that encourage the overthrow of the government and "promote resentment toward a race or class of people" and are "designed primarily for pupils of a particular ethnic group" and "advocate ethnic solidarity instead of treatment of pupils as individuals." Tom Horne, Superintendent of Public Instruction at the time of the law's adoption, issued a finding that the Tucson Unified School District was in violation of the statute because of courses offered as part of the Tucson Unified School District's Mexican American Studies program.

John Huppenthal, State Superintendent of Instruction, issued a second finding that the Tucson Unified School District (TUSD) was in violation and the TUSD was forced to cease its Mexican American Studies program and remove books from its classrooms despite the fact that they have studies to support

their position that the program is open to all students, not just Mexican American students.

Jefferson reported that the American Library Association joined FTRF on the brief, along with REFORMA, the Asian Pacific American Library Association; the Black Caucus of the American Library Association; the American Booksellers Foundation for Free Expression, the Comic Book Legal Defense Fund, the National Association for Ethnic Studies, the National Coalition Against Censorship, and the National Council of Teachers of English.

The status of this case is currently on appeal in the Ninth Circuit Court. An oral argument date has not been set at the time of this report.

**Item #2. JUDITH F. KRUG FUND.** This fund was established in the name of the late Judith F. Krug, director of the ALA Office for Intellectual Freedom, who died 2009. At present, the fund supports two initiatives: a grants program that underwrites Banned Books Week activities in libraries, schools, and community institutions, and a program to augment and improve intellectual freedom education in LIS programs. It is anticipated that details about both projects will be available in advance of the 2014 Annual Conference.

**Item#3. STRATEGIC PLAN INITIATIVE AND FTRF MEMBERSHIP.** In order to advance those portions of the Freedom to Read Foundation's strategic plan addressing organizational capacity and growth, the Trustees approved two action items: (1) to review and refresh the Foundation's investment policy; and (2) adopt a standard endowment payout policy built on the ALA model.

The Foundation is embarking on an active campaign to increase the Freedom to Read Foundation's membership by reaching out to the general public and institutions with an interest in advancing intellectual freedom.

## **NEW BUSINESS:**

### **RESOLUTION TO IMPROVE MEMBER ACCESS TO ALA UNIT GOVERNING INFORMATION ALA CD#35, REVISED, 1/26/14.**

Councilors Gina Persichini and Suzanne Sager moved and Council

*ADOPTED*, Resolution to Improve Member Access to ALA Unit Governing Information, ALA CD#35, *Revised, 1/26/14*, which read:

“That the American Library Association, on behalf of its members:

(1) Adjusts policy to include, "the governing bodies of ALA Divisions and Round Tables shall make drafts of their meeting minutes or other reports of actions taken available via the unit's ALA-hosted webpage within 30 days of the meeting;"

(2) Adjusts policy to include, "the governing bodies of ALA Divisions and Round Tables shall make final versions of meeting minutes or other reports of actions taken available via the unit's ALA-hosted webpage within 30 days of their approval;"

(3) Requires governing bodies to maintain an easily available historical record of these meetings and action reports; and

(4) Exempts sub-units of the divisions and sub-units of the Round Tables from the policy.”

**RESOLUTION ON WHISTLEBLOWER EDWARD SNOWDEN, ALA CD#37.** Councilors Diedre Conkling and Jane Glasby moved and after considerable debate, Council *DEFEATED*, the Resolution on Whistleblower Edward Snowden, ALA CD#37, which read: “That the American Library Association, on behalf of its members recognizes Edward Snowden as a whistleblower who, in releasing information that documents the mass surveillance programs of the National Security Agency, has performed a valuable service in launching a dialogue about transparency, government surveillance, and over classification.”

**RESOLUTION TO ALLOW PROGRAMS AT AMERICAN LIBRARY ASSOCIATION MIDWINTER MEETINGS, ALA CD#38.** Councilors Jennifer Boettcher and Andrew Fuerste-Henry moved and because of potential financial implications, ALA Council

*REFERRED*, ALA CD#38, Resolution to Allow Programs at American Library Association Midwinter Meetings, to the Budget Analysis and Review Committee (BARC) for a report back at the 2014 ALA Annual Conference.

**DRAFT RESOLUTION ON DIGITIZATION OF U.S. GOVERNMENT DOCUMENTS, ALA CD#49.** Councilor Larry Romans, mover of ALA CD#49, reported that at the 2013 ALA Annual Conference, the ALA Council referred ALA CD# 49, which read:

“That the American Library Association (ALA), on behalf of its members:

1. supports and encourages the preservation of Federal Depository Libraries’ (FDL) paper collections;
2. opposes policies that would result in the destruction of FDL paper collections;
3. supports technologies that guarantee long-term, robust, verifiable, complete, accurate, authentic, preservable, and usable digital formats; and
4. works with the Government Printing Office (GPO) and the FDL community on developing procedures to authenticate and ingest digital content into FDsys digitizations that come from FDL libraries and federal agencies; and
5. supports the creation of an inventory of digitized government publications with records that include information on quality, completeness, accuracy, features, availability, limitations, costs, utility, and trusted preservation, and provide links to records in OCLC and GPO's *Catalog of U.S. Government Publications* so that libraries can download batch MARC metadata.”

to the Committee on Legislation (COL) with the intent that COL respond back at this Midwinter Meeting; however, since the reporting back deadline was not included in the 2013 Annual Conference referral, COL was not prepared to render its response on the resolution at this Midwinter Meeting.

In light of this situation, Councilor Larry Romans moved and the ALA Council

**VOTED**, That COL shall report to the ALA Council on ALA CD#49 at the 2014 Annual Conference.

**HONORARY MEMBERSHIP NOMINATIONS, ALA CD#24.** On behalf of the Executive Board, Immediate Past President Maureen Sullivan recommended that Patricia Glass Schuman receive an honorary membership in the American Library Association. The ALA Council

*VOTED,* To bestow an ALA honorary membership upon Patricia Glass Schuman.

**ANNOUNCEMENTS AND ADJOURNMENT.** Following the completion of the agenda and several brief announcements the meeting was adjourned.

**ALA COUNCIL III**  
**Tuesday, January 28, 2014, 9:30am–12:30pm**  
**Pennsylvania Convention Center**  
**Grand Ballroom B**  
**Philadelphia, Pennsylvania**

The third meeting of the ALA Council during the 2014 Midwinter Meeting was convened at 9:30am on Tuesday, January 28, 2014, in the Pennsylvania Convention Center, Grand Ballroom B.

**DECLARATION OF THE RIGHT TO LIBRARIES CAMPAIGN.** After convening the Council III meeting, ALA President Barbara Stripling presented a short video that documented the DC Public School students' impassioned reflections of what they love about their library. It is the direct result of the hard work of DC Public School Libraries Director Pat Brown.

As an avid promoter of the Declaration of the Right to Libraries campaign, Brown's team has made a logo for the campaign, which will be reprinted on T-shirts, stickers, and buttons. Their adopted theme is "DC Loves Libraries."

**QUORUM.** A quorum was established at the beginning of each meeting.

**ESTABLISHING THE AGENDA, ALA CD#8.3 Revised, 1/17/14\_7:30pm.** By *CONSENT*, ALA CD#8.3 Revised, (1/17/14\_7:30pm) was adopted.

**MEMORIALS, ALA M#1–4.** ALA Policy A.4.2.3 (formerly: Policy 5.3) provides that memorials, tributes, and testimonials will be presented at the beginning of the last session of Council. Memorials were adopted for the following persons: Augusta “Gussie” Clark, M-#1; Major Owens, M-#2; Nasser Sharify, M-#3; and Bohdan Stephan Wynar, M-#4.

**TRIBUTES, ALA TR#1 AND ALA CD#20.4.** By *ACCLAMATION*, Council adopted tribute resolutions honoring Giovanni’s Room Bookstore and Owner Ed Hermance, T-#1; and Senator John D. (Jay) Rockefeller IV for his Support of America’s Libraries, ALA CD#20.4.

## **COUNCIL TELLERS' REPORT ON THE ALA EXECUTIVE BOARD**

**ELECTION, CD#11.2.** Councilor John C. Sandstrom, chair, reported the following election results (asterisk (\*) signifies those elected--\* for 3-year term and \*\* for 5-month term): Aaron W. Dobbs, 45; Peter D. Hepburn, 95\*; Mike L. Marlin, 75\*\*; Gina A. Persichini, 88\*; Alexandra P. Rivera, 41; and Gail A. Schlachter, 81\*.

## **INTELLECTUAL FREEDOM COMMITTEE (IFC) REPORT, ALA CD#19-**

**19.2.** Douglas Archer, IFC Chair, highlighted some of items the committee has been working on this year, which included:

**Item#1. *Intellectual Freedom Manual.*** The ninth edition of the *Manual* is slated for publication in early 2015. Editor Trina Magi of the University of Vermont has re-imagined and re-designed the Manual for use as a practical guide for librarians, while the IFC continues to review and revise ALA's intellectual freedom policies in preparation for the new edition. Revised policies will be circulated in the spring of 2014 for comments and suggestions.

**Item#2. *Privacy Toolkit.*** In September 2013, the IFC's Privacy Subcommittee worked to revise the Toolkit, which was last revised in 2005. The new toolkit provides concise and up-to-date guidance for libraries that are creating or revising their privacy policies. The new toolkit will be available on the Web by March 1, 2014.

**Item #3. *The Lemony Snicket Prize for Noble Librarians Faced with Adversity.*** Approval of the prize is being sought from the ALA Executive Board and the ALA Council at this Midwinter Meeting. If approved, the prize will be a generous amount of cash from Mr. Snicket's disreputable gains, along with an odd, symbolic object from his private stash, and a certificate, which may or may not be suitable for framing. It is Mr. Snicket's hope, and the ALA's, that the Snicket Prize will remind readers everywhere of the joyous importance of librarians and the trouble that is all too frequently unleashed upon them.

## **RESOLUTION ON EXPANDING FEDERAL WHISTLEBLOWER PROTECTIONS, ALA CD#19.2 AND CD#20.2 (joint resolution sponsored by IFC and COL).**

On behalf of the Committee on Legislation (COL) and the Committee on Intellectual Freedom (IFC), Douglas Archer, IFC Chair, moved and Council **ADOPTED** the jointly sponsored resolution, which read "That the American Library Association

(ALA), on behalf of its members:

1. urges Congress to amend the Whistleblower Protection Enhancement Act of 2012 to extend existing legal protections for whistleblowers to employees of all national security and intelligence agencies, and to non-federal employees working for civilian contractors;
2. urges Congress to establish a secure procedure by which all federal employees, and all non-federal employees working for civilian contractors, may safely share evidence they have discovered of fraud, waste, or abuse with the appropriate oversight committees of Congress, and directly with the press and the American people, with the protection of legally enforceable rights against retaliation or prosecution;
3. commends the courage and perseverance of federal employees, and non-federal employees working for civilian contractors, who risk their livelihoods, their reputations and their liberty to expose evidence of government fraud, waste, or abuse.”

**RESOLUTION ON CURBING GOVERNMENT SURVEILLANCE AND RESTORING CIVIL LIBERTIES, ALA CD#19.1 and CD#20.1 (joint resolution sponsored by IFC and COL).** On behalf of the Committee on Legislation (COL) and the Committee on Intellectual Freedom (IFC), Vivian Wynn, COL chair, moved the adoption of Resolution on Curbing Government Surveillance and Restoring Civil Liberties, ALA CD#19.1 and CD#20.1, which read: “Calls upon Congress to pass legislation supporting the reforms embodied in H.R. 3361/S. 1599 as introduced, and upon the President to sign such legislation; and commends Senator Patrick Leahy and Congressman James Sensenbrenner for sponsoring the USA FREEDOM Act, the 143 legislators in the Senate and the House who have co-sponsored it, and the 85 organizations that have endorsed it, as of January 27, 2014.”

By **CONSENT**, Divided the “Resolved” clause of the joint COL and IFC ALA CD#19.1 and 20.1, Resolution on Curbing Government Surveillance and Restoring Civil Liberties, into two separate actions: ALA CD#19.1(A) and CD#19.1(B) and ALA CD#20.1(A) and ALA CD#20.1B.



The ALA Council then

*ADOPTED*, ALA CD#19.1(A) and ALA CD#20.1(A), Resolution on Curbing Government Surveillance and Restoring Civil Liberties, as amended to read: “The American Library Association (ALA), on upon of its members:

calls upon Congress to pass legislation supporting the reforms embodied in H.R. 3361/S. 1599 as introduced, and upon the President to sign such legislation.”

The ALA Council then

*ADOPTED*, ALA CD#19.1(B) and ALA CD#20.1B, Resolution on Curbing Government Surveillance and Restoring Civil Liberties, as amended to read: “The American Library Association (ALA), on upon of its members:

commends Senator Patrick Leahy and Congressman James Sensenbrenner for sponsoring the USA FREEDOM Act, the 143 legislators in the Senate and the House who have co-sponsored it, and the 85 organizations that have endorsed it, as of January 27, 2014.”

**RESOLUTION ON MAINTAINING GOVERNMENT WEBSITES, ALA CD#20.3**, Vivian Wynn, COL chair, moved the adoption of ALA CD#20.3, Resolution on Maintaining Government Websites during a Government Shutdown.

By *CONSENT*, the ALA Council replaced the word “**citizen**” with the word “**persons**...” in the 1st “Whereas” clause of ALA CD#20.3, Resolution on Maintaining Government Websites during a Government Shutdown.

The 1st “Whereas” clause of ALA CD#20.3, Resolution on Maintaining Government Websites during a Government Shutdown, then read: ”Whereas public online access to federal government information directly affects U.S. ~~citizens~~ **persons** in areas as diverse as weather forecasting, natural hazards, immigration, health, and taxation;”

The ALA Council then *DEFEATED*, A motion to refer ALA CD#20.3, Resolution on Maintaining Government Websites during a Government Shutdown, back to the Committee on Legislation until Annual Conference 2014.

The ALA Council also *DEFEATED*, The following amendment to ALA CD#20.3, Resolution on Maintaining Government Websites:

1. Strike the 1st “*Resolved*” clause that read: ~~“urges the President to direct the Office of Management and Budget (OMB) and Department of Justice (DoJ) to develop guidance to federal agencies stating that, in the event of a government shutdown or other emergency, continued access by the public to essential information on agency websites is an “excepted” activity that would warrant the retention of personnel or the obligation of funds to assure access;~~
2. Amend the 2nd “*Resolved*” clause to read: “urges the Office of Management and Budget (OMB), ~~in the absence of such a guideline~~, to direct each agency to communicate the status during a shutdown of its website to the Government Printing Office (GPO) or another appropriate agency, which would widely communicate to the public and update information about which agencies are maintaining their websites, which are updating them and which are closing them; and
3. Renumber the “*Resolved*” clauses of ALA CD#20.3, Resolution on Maintaining Government Websites, from 1-6 to 1-5.

By *CONSENT*, the ALA Council amended the 2<sup>nd</sup> “*Resolved*” clause of ALA CD#20.3, Resolution on Maintaining Government Websites, by adding the words: “...to the public...”

The “*Resolved*” clause now reads: “urges the Office of Management and Budget (OMB), in the absence of such a guideline, to direct each agency to communicate the status during a shutdown of its website to the Government Printing Office (GPO) or another appropriate agency, which would widely communicate to the public and update information about which agencies are maintaining their websites, which are updating them and which are closing them;

The ALA Council then *VOTED*, To insert the word "**paid**" in front of the word "**personnel**" in the 1st “*Resolved*” clause of ALA CD#20.3, Resolution on Maintaining Government Websites. The “*Resolved*” clause now reads: “urges the President to direct the Office of Management and Budget (OMB) and Department of Justice (DoJ) to develop guidance to federal agencies stating that, in the event of a government shutdown or other emergency, continued access by the public to essential

information on agency websites is an “excepted” activity that would warrant the retention of **paid** personnel or the obligation of funds to assure access;

The ALA Council **ADOPTED**, 20.3, Resolution on Maintaining Government Websites during a Government Shutdown, as amended.

Vivian Wynn, COL Chair, then updated the ALA Council on various legislative activities and initiatives.

**ALA AWARDS COMMITTEE.** Eric Suess, member of the ALA Awards Committee, presented the committee’s action item on behalf of Susan DiMattia, chair, who was unable to attend this meeting. Suess moved and the ALA Council

**APPROVED**, the establishment of the Lemony Snicket Prize for Noble Librarians Faced with Adversity as outlined in ALA CD#36.

The Lemony Snicket Prize for Noble Librarians Faced with Adversity will be awarded annually to a librarian. If a suitable candidate is not found, the award will not be presented that year. The Lemony Snicket prize will consist of a \$3,000 check plus \$1,000 travel, a certificate, and an odd object. After 5 year, Mr. Snicket will fund an endowed award to be managed by the ALA Office for Intellectual Freedom—in an amount sufficient to provide at least \$5000 per year going forward.

**ADJOURNMENT.** The agenda was completed and the meeting was adjourned.