

American Library Association Constitution and Bylaws Committee
Report to Council
Midwinter Meeting 2017—Atlanta, Georgia

A. Changing the required number of signatures for petitions for the offices of ALA president-elect and treasurer

Last year a presidential Task Force reviewed the ALA election process. Then-Immediate Past ALA President Courtney Young chaired this group. The chair of the Constitution and Bylaws Committee was a member. The ALA Executive Board has reviewed the Task Force’s recommendations for revisions to the election process for ALA-wide offices (president-elect, treasurer, at-large members of the Council). Implementation of one recommendation, approved by the Executive Board, requires a revision to one provision of the ALA Bylaws. That recommendation is:

that any candidate running for ALA President-Elect or ALA Treasurer by petition must obtain a minimum of 200 petition signatures in order to be placed on the ballot as a candidate. The task force further recommends this proposed change to Bylaws Article III, Section 3(b) be referred to the ALA Constitution and Bylaws Committee.

The Task Force report made “This recommendation in recognition of the significant role and work of each officer and [of] the significant role of the Nominating Committee to identify, recruit, and slate candidates for these offices.”

ALA Bylaws, Article III, Section 3(b) currently states:

The ALA Nominating Committee shall also include on the official ballot other nominations filed with the executive director by petition of any twenty-five 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.

The Constitution and Bylaws Committee recommends amending the second clause of Article III, Section 3 (b) as follows (new language is underlined):

The ALA Nominating Committee shall also include on the official ballot other nominations filed with the executive director by petition of any two hundred (200) members of the Association for the positions of President-elect or Treasurer and twenty-five members of the Association for the position of Councilor-at-Large 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.

This does not affect the requirements for petitions for Councilor-at-large.

Procedural information on amending the ALA Bylaws:

ALA Constitution, Article XI. Bylaws Amendments and Editorial Changes

Section 1. All proposals for amending the Bylaws shall originate in the Council. A proposed amendment or new bylaw shall become effective when it shall have been approved by a majority of

the members of the Council present and voting at a meeting of the Council, followed by ratification by the members of the Association either by a vote by mail of a majority of the members of the Association voting, or by a majority vote of the members present and voting at a membership meeting of the Association. The Council, on approving a proposed amendment, shall specify whether a vote for ratification shall be taken at a membership meeting of the Association or by mail, and if a mail vote is ordered, the Council shall fix the time for the beginning and closing of the balloting. If a vote at a membership meeting is ordered, at least one month's written notice shall be given to the Association of the text of the proposed amendment or new bylaw.

Section 2. The Council, upon recommendation of the Constitution and Bylaws Committee or the Committee on Organization, may make such editorial changes in these bylaws as do not change their substance and meaning. Those changes shall take effect upon such action and shall be referenced in the next ALA Handbook of Organization.

ACTION ITEM #1—Recommendation that Council place an amendment to the ALA Bylaws on the spring 2017 ballot

Resolved, that the following amendment to the ALA Bylaws be presented to the ALA membership on the spring 2017 ballot:

Amend Article III, Section 3 (b) of the ALA Bylaws to state:

The ALA Nominating Committee shall also include on the official ballot other nominations filed with the executive director by petition of any two hundred (200) members of the Association for the positions of President-elect or Treasurer and twenty-five members of the Association for the position of Councilor-at-Large 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.

B. Updating Archaic Language in Article X of the ALA Constitution

At the 2016 Annual Conference in Orlando Council voted to place an amendment to the ALA Constitution on the spring 2017 ballot, pending a second vote by Council on the same proposed revision at the 2017 Midwinter Meeting.

If the language in C&B Action item #2 below is modified at this time, Council will need to approve that modified language and the Constitution and Bylaws Committee will need to approve the newly adopted language again at the 2017 Annual conference so that it can appear on the spring 2018 ballot.

Article X deals with the circumstances under which organizations can become affiliates of ALA and under which subdivisions of ALA can, with Council's approval, become affiliates of national and international organizations.

Article X. Affiliated Organizations and Chapters

- **Section 1** The Council may by vote affiliate with the American Library Association or with any subdivision thereof upon its request, any national or international organization having purposes similar to those of the Association or its subdivision. The dues of affiliated organizations shall be as provided in the Bylaws.

- **Section 2.** The Council may by vote affiliate the Association, or any subdivision thereof upon its request, with any national or international organization having purposes similar to those of the Association or its subdivision; provided, however, that no subdivision of the Association may separately affiliate itself with an organization with which the Association as a whole is affiliated.
- **Section 3.** By action of the Council, and in accordance with the Bylaws of the American Library Association, any legally constituted state, provincial, regional, or territorial library association may become a chapter of the American Library Association and receive such rights and privileges as provided in the Bylaws of the Association and under such conditions as may be provided in the Bylaws.

From <http://www.ala.org/aboutala/governance/constitution/constitution#affiliated>

To paraphrase/simplify the meaning of Section 1: Council can approve a national or international organization's request to become an affiliate of ALA or of a subdivision of ALA.

To paraphrase/simplify the meaning of Section 2: Council can approve a request by an ALA subdivision to become an affiliated organization with a national or international organization. Furthermore, Council on behalf of the entire Association can approve ALA as a whole to become an affiliated organization with a national or international organization. However if ALA is already an affiliate with a national or international organization, a subdivision cannot become an affiliate of that organization.

Procedural information on amending the ALA Constitution:

Amending the Constitution requires approval through the process described in Article XII of the ALA Constitution. It states:

All proposals for amending the Constitution shall originate in the Council. A proposed amendment shall become effective when it shall have been approved by a majority of the members of the Council present and voting at two consecutive meetings held not less than two months apart, followed by ratification by the members of the Association either by a vote by mail of a majority of the members of the Association voting, or by a majority vote of the members present and voting at a membership meeting of the Association. The Council, on approving a proposed amendment for the second time, shall specify whether a vote on ratification shall be taken at a membership meeting of the Association or by mail, and if a mail vote is ordered, the Council shall fix the time for the beginning and closing of the balloting. If a vote at a membership meeting is ordered, at least one month's written notice shall be given to the Association of the text of the proposed amendment.

ACTION ITEM #2—Recommendation that Council place an amendment to the ALA Constitution on the spring 2017 ballot for a vote by the ALA membership:

Resolved, that the following amendment to the ALA Constitution be submitted to the ALA membership for its vote in the spring 2017 ballot:

Amend Article X of the ALA Constitution by deleting all language in Sections 1 and 2 and replacing them as follows (deleted language shown in brackets; new language is underlined):

[Section 1 The Council may by vote affiliate with the American Library Association or with any subdivision thereof upon its request, any national or international organization having purposes similar to those of the Association or its subdivision. The dues of affiliated organizations shall be as provided in the Bylaws.

Section 2. The Council may by vote affiliate the Association, or any subdivision thereof upon its request, with any national or international organization having purposes similar to those of the Association or its subdivision; provided, however, that no subdivision of the Association may separately affiliate itself with an organization with which the Association as a whole is affiliated.]

Section 1. National or international organizations having purposes similar to those of the Association or to one or more of the Association's subdivisions may request to become an affiliate of the Association. Requests for affiliation are subject to Council's approval.

Section 2. The Association or any subdivision thereof may request to become an affiliate with national or international organizations having purposes similar to those of the Association or to one or more of the Association's subdivisions. However no subdivision of the Association may separately affiliate itself with an organization with which the Association is affiliated. Requests for affiliation are subject to Council's approval.

Article X, section 3 of the ALA Constitution is not affected by this amendment.

Nor does this affect the ability of divisions such as the Association for Library Collections and Technical Services (ALCTS) or the American Association of School Librarians (AASL) to confer affiliate status on state library associations, etc.; these are not national or international organizations.

C. Request from Latino Literacy Now for ALA Affiliate Status

Latino Literacy Now is a 501c3 nonprofit organization founded in 1997 “to promote literacy in the community in all forms: educational, financial, reading, and community awareness. We aspire to advance the cause of reading as a means of self-improvement both personally and professionally.”

The ALA Executive Board has adopted guidelines—not policies—for reviewing applications for affiliation with ALA. See appendix to this document. The ALA Constitution and Bylaws Committee has reviewed the documents Latino Literacy Now submitted in support of its application for affiliate status. These documents were sent to Council via ALA Connect on Friday, January 13.

Rather than members, Latino Literacy Now has a board of directors who, *de facto*, are the organization's full membership. The Constitution and Bylaws Committee has concluded that the organization's operations over 20 years demonstrate “promise of worthwhile activity and continued support” are a more significant factor than “sufficiently large membership (usually 100)” —both listed in #5 of the affiliation guidelines.

The Latino Literacy Now board carries out activities (e.g., its annual International Latino Book awards, award ceremonies held in conjunction with ALA conferences, writers' conferences, book clubs in a variety of states, and book of the month teleconferences). These are consistent with ALA's interests. The organization is also national in scope.

There are no conflicts between the bylaws of Latino Literacy Now and ALA's bylaws. Nor does Latin Literacy Now practice any form of discrimination in its membership based on “race, creed, color, sex, orientation, gender identity or expression, age, disabilities, or national origin”—one of the criteria for affiliation with ALA.

The ALA Constitution and Bylaws Committee has discharged its duty to apply the criteria adopted by the Executive Board and recommends that ALA grant ALA Affiliate Status to Latino Literacy Now.

ACTION ITEM #3—Recommendation that Council approve the request from Latino Literacy Now for ALA Affiliate Status:

Resolved, that Latino Literacy Now be approved for ALA Affiliate Status.

Respectfully submitted,

Edgardo Guerrero (intern)
Teresa Hazen
Janel Kinlaw
Stephen Matthews
Ella Mae Mulford

Toni Negro
James Rettig (chair)
JoAnne Kempf, Staff Liaison

Appendix: Roles of the ALA Executive Board and the ALA Constitution and Bylaws Committee

On October 8, 1982 the ALA Executive Board approved criteria and a set of recommended procedures for reviewing applications for affiliation with ALA. This document was amended in 2010.

Source: <http://www.ala.org/groups/affiliates/affiliates/criteria>

The ALA Executive Board approves the following criteria and procedures for affiliation:

1. The organization should be national or international in scope;
2. The organization should be nonprofit;
3. The organization should have interests consistent with those of ALA;
4. The organization can affiliate only at one level, either with the Association or with a subdivision of the Association;
5. It has a sufficiently large membership (usually 100) and has been in existence for a sufficient time (usually 4 years) to give the promise of worthwhile activity and continued support;
6. The organization's constitution and bylaws do not conflict with ALA's;
7. The organization does not discriminate in its membership on the basis of race, creed, color, sex, sexual orientation, gender identity or expression, age, disabilities, or national origin.

Concerning procedures, it is recommended that:

1. Applications for affiliation should be supported by:
 - a) A statement including the year of founding; the total number of members; a list of journals and other publications, if any; or other evidence of interest in libraries and librarianship or information science
 - b) A brief history of the organization, including its aims.
 - c) A copy of its current constitution and bylaws.
 - d) The names and addresses of current officers.
 - e) A statement of ways in which the applicant visualizes cooperation with ALA.
 - f) A statement that the organization does not discriminate in its membership on the basis of race, creed, color, sex, sexual orientation, gender identity or expression, age, disabilities, or national origin.
2. The ALA Constitution and Bylaws Committee will examine the applicant's constitution and bylaws to see that no conflict exists between the ALA constitution and bylaws and the applicant's.
3. The Executive Director will evaluate the other documents mentioned above in point 1 to make a preliminary determination concerning the applicant's meeting ALA criteria and will so report to the Executive Board
4. The Executive Board will act on the Executive Director's report and forward recommended application to the Council for its action.

ALA Affiliate dues are \$150.00 per year. Dues are payable upon acceptance by ALA of your Affiliate application as discussed above. Your Affiliate anniversary will be one year from the month you begin paying dues and your status will automatically renew upon payment of dues in subsequent years.

You may end your Affiliates status by formal notice to ALA's Executive Director or by non-payment of dues. ALA reserves the right to withdraw your Affiliate status for reasons as described in the ALA Constitution and Bylaws for any member. Affiliate dues are currently tied to the dues level for 'Other Non-Profit Organizations' and may be changed upon a vote of the membership.