

**American Library Association Constitution and Bylaws Committee
Report to Council**

Midwinter Meeting 2016—Boston, Massachusetts

1. Joint Council of Librarians of Color application for affiliate status with ALA

At its fall 2015 meeting, the ALA Executive Board approved EBD #12.7 2015-2016. It forwarded to the Constitution and Bylaws Committee the application by the Joint Council of Librarians of Color for affiliate status with ALA. The Constitution and Bylaws Committee has the responsibility to “examine the applicant’s constitution and bylaws to see that no conflict exists between the ALA constitution and bylaws and the applicant’s.”

Relevant documents are:

- The ALA Constitution
<http://www.ala.org/aboutala/sites/ala.org.aboutala/files/content/governance/constitution/Constitution.pdf> or <http://www.ala.org/aboutala/governance/constitution/constitution>
- ALA Bylaws
http://www.ala.org/aboutala/sites/ala.org.aboutala/files/content/governance/constitution/bylaws_rev_8-20-12_1.pdf or <http://www.ala.org/aboutala/governance/constitution/bylaws>
- American Library Association Affiliation Guidelines
<http://www.ala.org/groups/affiliates/affiliates/criteria>
- ALA Executive Board document EBD #12.7.1 2015-2016 (sent separately) includes:
 - A letter dated October 1, 2015 from Dr. Jerome Offord, president of the Joint Council of Librarians of Color, Inc., to Keith Fiels, ALA Executive Director
 - JCLS Affiliate Application
 - JCLC Constitution and Bylaws

Current ALA affiliates are listed at <http://www.ala.org/groups/affiliates/affiliates/current>; all of the member organizations of JCLC are ALA affiliates.

The Constitution and Bylaws Committee has reviewed JCLC’s Constitution and additional information submitted in support of JCLC’s application to become an affiliate of ALA. The Committee has concluded that JCLC meets the affiliation guidelines and criteria established by the ALA Executive Board. The Committee therefore brings the following action item to Council for its consideration:

ACTION ITEM:

Resolved, that the ALA Council approve the application of the Joint Council of Librarians of Color to become an affiliate of the American Library Association.

2. Follow-up to the Committee’s report to Council at the 2015 Annual Conference:

At the Annual Conference the Constitution and Bylaws Committee proposed an amendment to Article X of the ALA Constitution. Article X deals with affiliation of external organizations with ALA as well as with ALA or its subdivisions affiliating with an external organization.

Council referred the proposed amendment back to the Committee for further consideration. The proposal did not adequately state Council's role in approving affiliation requests. Members of Council also raised questions about the meaning of the word "subdivision" in the Constitution. Additional research by Karen Muller and Valerie Hawkins of the ALA library, supplemented by work by the Committee to examine the Constitution, the Bylaws, and the Policy Manual has provided a fuller picture of history of Article X since 1907 to the present. The Committee's research also determined that "subdivision" referring to parts of the Association is used only in the Constitution and the Policy Manual.

The ALA Bylaws refer to affiliation of divisions or round tables with external groups. There may be redundancy—perhaps needless—between the Constitution and the Policy Manual.

The Constitution and Bylaws Committee has shared this information with the Committee on Organization and recommended that it develop a definition of "subdivision." That could result in a need to change the Bylaws to include that definition in an appropriate article of that document.

At this time, the Committee proposes no action. It and others need a better and a shared understanding of these issues. The language of Article X is archaic. Once that shared understanding is in place, the committee will re-examine the question about whether or not amending Article X would result in clarity to replace the current ambiguity.

A separate document will be posted on the Council Connect site. It recounts the findings of the research by the ALA library staff and the Committee.

3. When a candidate for an officer position withdraws before the election

The Committee briefly discussed the unusual occurrence this year of two nominated officer candidates withdrawing their candidacy, resulting in, at least as of today, one uncontested election. Article VIII, section 2 of the Constitution addresses vacancies if an officer-elect withdraws or is unable to serve before assuming office. But is mute about candidates withdrawing before an election. President Feldman has appointed a task force to review election policies and procedures. In deference to ALA Election Process Task Force recently appointed by president Sari Feldman, the Constitution and Bylaws Committee chose not to explore this matter.

Respectfully submitted,

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