

2013 MIDWINTER MEETING

IMPLEMENTATION REPORT

TO ALA COUNCIL

AT THE

2013 ANNUAL CONFERENCE

CHICAGO, ILLINOIS

REPORT ON THE IMPLEMENTATION OF THE 2012 ALA MIDWINTER MEETING COUNCIL ACTIONS

ALA Policy A.4.2.4 requires the Executive Board or its delegates to report to Council on the status of implementation of motions and resolutions passed by Council during the preceding year. The report shall be entered in the Council minutes.

Document Number/Title of Document: ALA Resolutions Committee Report, ALA CD#6-6.3

Implementation Action: The ALA Council **ADOPTED**, the changes to the Guidelines for Preparation of ALA Council and Membership Resolutions, as identified in 2012-2013 ALA CD#6.2 and #6.3.

Response: The Policy Monitoring Committee will report to Council on the incorporation of the changes into the *ALA Policy Manual* at Council II, July 1, 8:30-11:30am.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #1, Reinsertion of ALA policies A.1 through A.1.3 into the *ALA Policy Manual* Section A.

Implementation Action: The ALA Council **APPROVED**, Action Item #1. Reinsertion of the following policies (A.1 through A.1.3) into the *ALA Policy Manual* Section A, as follows.

A.1. Mission, Priority Areas, Goals (OLD NUMBER#1)

A.1.1. Introduction (OLD NUMBER#1.1)

Any organization as large, diverse, and dynamic as ALA must periodically reassess priorities in order to make progress in selected areas determined to be of prime concern to its members. The diversity of the membership dictates a wide range of interests that frequently overlap or complement one another. Nonetheless, we can identify overriding priorities that ALA should pursue vigorously within the United States and coordinate with groups abroad. Only such focusing of efforts and the subsequent allocation of Association funds and evaluation of its activities can ensure needed progress within the profession.

ALA recognizes its broad social responsibilities. The broad social responsibilities of the American Library Association are defined in terms of the contribution that librarianship can make in ameliorating or solving the critical problems of society; support for efforts to help inform and educate the people of the United States on these problems and to encourage them to examine the many views on and the facts regarding each problem; and the willingness of ALA to take a position on current critical issues with the relationship to libraries and library service set forth in the position statement.

ALA promotes the creation, maintenance, and enhancement of a learning society, encouraging its members to work with educators, government officials, and organizations in coalitions to initiate and support comprehensive efforts to ensure that school, public, academic, and special libraries in every community cooperate to provide lifelong learning services to all. (See also Library Personnel Practices **(B.9)** [54]; Intellectual Freedom **(B.2)** [53]; Federal Legislative Policy **(B.5.6)** [54]; and Services and Responsibilities of Libraries **(B.8)** [52]; see also "Policy Reference File": Realities, a report from the ALA Task Force on Excellence in Education. - PDF, 14 pgs)

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #1, Reinsertion of ALA Policies A.1 through A.1.3 into the *ALA Policy Manual* Section A.
(continued)

A.1.2. Mission (OLD NUMBER#1.2)

The mission of the American Library Association is to provide leadership for the development, promotion, and improvement of library and information services and the profession of librarianship in order to enhance learning and ensure access to information for all.

A.1.3. Vision (OLD NUMBER#1.3)

ALA is the leading advocate for:

- The value of libraries and librarians in connecting people to recorded knowledge in all forms.
- The public's right to a free and open information society. (See "Policy Reference File": ALA Ahead to 2010: 2004-2005 ALA CD#31.2 - PDF, 2 pgs)

Response: The revised policies were recodified and placed into the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #2. **Renumbering policies A.1 through A.1.3**

Implementation Action: The ALA Council **APPROVED**, Action Item #2, the renumbering of ALA Policies A.1 through A.1.2 as follows:

Existing A.1. to become A.1. 4. Core Organizational Values (OLD NUMBER#1.3.1)

The Association is committed to:

- Extending and expanding library services in America and around the world
- All types of libraries – academic, public, school and special
- All librarians, library staff, trustees and other individuals and groups working to improve library services
- Member service
- An open, inclusive, and collaborative environment
- Ethics, professionalism and integrity
- Excellence and innovation
- Intellectual Freedom
- Social responsibility and the public good

(See "Policy Reference File": ALA Strategic Plan 2011-2015, ALA CD#36.2)

Existing A.1.1 to become A.1.5 Key Action Areas (OLD NUMBER#1.4)

ALA is committed to seven Key Action Areas as guiding principles for investment of energies and resources:

Advocacy for Libraries and the Profession

The association actively works to increase public awareness of the crucial value of libraries and librarians, to promote state and national legislation beneficial to libraries and library users, and to supply the resources, training and support networks needed by local advocates seeking to increase support for libraries of all types.

Diversity

Diversity is a fundamental value of the association and its members, and is reflected in its commitment to recruiting people of color and people with disabilities to the profession and to the promotion and development of library collections and services for all people.

Education and Lifelong Learning

The association provides opportunities for the professional development and education of all library staff members and trustees; it promotes continuous, lifelong learning for all people through library and information services of every type.

Equitable Access to Information and Library Services

The Association advocates funding and policies that support libraries as great democratic institutions, serving people of every age, income level, location, ethnicity, or physical ability, and providing the full range of information resources needed to live, learn, govern, and work.

Intellectual Freedom

Intellectual freedom is a basic right in a democratic society and a core value of the library profession. The American Library Association actively defends the right of library users to read, seek information, and speak freely as guaranteed by the First Amendment.

Literacy

The ALA assists and promotes libraries in helping children and adults develop the skills they need-the ability to read and use computers-understanding that the ability to seek and effectively utilize information resources is essential in a global information society.

Organizational Excellence

The association is inclusive, effective and responsive to the needs of ALA members.

Transforming Libraries

ALA provides leadership in the transformation of libraries and library services in a dynamic and increasingly global digital information environment.

(Approved annually since 1997 by the ALA Council as the "programmatic priorities" of the Association. See "Policy Reference File": ALA Strategic Plan 2011-2015, ALA CD#36.2)

Existing A.1.2 becomes A.1.6. Goals and Objectives: (OLD NUMBER#1.5)

The Goals and Objectives represent strategic areas of focus for the next three to five years. The goals articulate the outcomes ALA would like to achieve and answer the question, "What will constitute future success?" The achievement of each goal will move the organization toward realization of its envisioned future. The goals are not necessarily identified in priority order.

Objectives provide direction on how ALA will accomplish its articulated goals. Objectives are considered in the 3-5 year planning horizon.

Goal Area: Advocacy, Funding and Public Policy

Goal Statement: ALA equips and leads advocates for libraries, library issues and the library profession, and plays a key role in formulating legislation, policies and standards that affect library and information services.

Strategic Objectives:

1. Increase public awareness of the value and impact of all types of libraries and the important role of librarians and other library staff.
2. Increase research and evaluation documenting the value and impact of all libraries.
3. Increase resources and training for advocates seeking to secure increased funding and support for all libraries.
4. Lead advocacy for crucial library issues such as literacy, intellectual freedom, privacy, fair use, preservation of our cultural heritage, information literacy, equity of access, and permanent no fee public access to government information.
5. Increase ALA's role in the formulation of library-related local, state, national, and international legislation, policies and standards.
6. Increase collaboration and alliances with organizations at all levels to advance legislation and public policy issues affecting libraries, librarians and information services.
7. Use new technologies to build greater public understanding and support for libraries of all types.

Goal Area: Building the Profession

Goal Statement: ALA promotes excellence and diversity in the library field.

Strategic Objectives:

1. Ensure that library education and training reflect the core values of the profession and the needs of the communities served by libraries of all types.
2. Increase the availability of and access to continuing education, career development and certification opportunities for librarians, library staff, trustees and library advocates.
3. Provide increased leadership and career development opportunities for Library and Information Science students.
4. Increase the diversity of the library workforce to reflect an increasingly diverse national and global community.
5. Increase ALA activities to assist libraries in recruiting, developing and retaining a high-quality, diverse library workforce.

Goal Area: Transforming Libraries

Goal Statement: ALA provides leadership in the transformation of libraries and library services in a dynamic and increasingly global digital information environment.

Strategic Objectives:

1. Increase opportunities to share innovative practices and concepts across the profession, nationally and internationally, and among all libraries.
2. Increase recognition of and support for experimentation with innovative and transformational ideas.
3. Help libraries make use of new and emerging technologies by promoting and supporting technological experimentation and innovation.
4. Increase leadership development and training opportunities designed to support the ongoing transformation of libraries.

Goal Area: Member Engagement

Goal Statement: ALA provides an environment in which all members, regardless of location or position, have the opportunity to participate in, contribute to, and benefit from engagement in their association.

Strategic Objectives:

1. Increase member and staff innovation and experimentation in the creation of new opportunities for face to face and virtual engagement.
2. Increase member engagement by identifying and eliminating barriers to participation and through technological innovation.
3. Develop new models to recognize member contributions in a changing association.
4. Continue to enhance a web presence that engages members and the public.

Goal Area: Organizational Excellence

Goal Statement: ALA operates effectively, efficiently, creatively and in a socially responsible fashion to accomplish its mission.

Strategic Objectives:

1. Develop and sustain the resources required to ensure the vitality of the association, its programs and services.
2. Enhance the association's organizational structure to meet the changing needs of members, libraries and the users they serve.
3. Assess and continuously improve products and services to better serve current members and to attract new members.
4. Strengthen support for and collaboration with Chapters and Affiliates.
(See "Policy Reference File": ALA Strategic Plan 2011 - 2015, ALA CD#36.2)

Response: The policies were recodified and placed into the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #3, Existing Policy Language in Current A.4.5 Units (Old Number 6.5) to be reorganized under heading: A.4.3, Units, Committees, Etc. (Old Number 6).

Implementation Action: The ALA Council **APPROVED**, Action Item #3, to reorganize existing Policy language in current A.4.5 Units (Old Number 6.5) under heading: A.4.3, Units, Committees, Etc. (Old Number 6), as follows:

A.4.3. Units, Committees, Etc.

A unit is any membership group within the American Library Association which has a distinct organizational entity. Committees and subcommittees which are appointive groups are excluded from this definition of unit.

The ALA is one association, legally responsible for the actions of all its subunits. Divisions, other membership units, and committees are bound by the Association's Constitution, Bylaws, and Policies. The governing authorities (parent bodies) of Divisions, other membership units, and committees that create subunits or subcommittees are responsible for orientation/training and guidance to ensure that such subunits/subcommittees work within the framework provided by the Constitution, Bylaws, and Policies of the Association.

If Divisions, Round Tables, other ALA membership units, or committees are thought to have violated the ALA Constitution, Bylaws, or Policies, the Council is empowered to take actions to ensure compliance with established ALA policy. The Council, ALA Executive Board, or other designated body may investigate the actions of the unit or committee and recommend a course of action. Actions that may be taken include, but are not limited to, internal sanction, limiting communication and/or spending by the unit or committee, or disestablishment of the unit or committee.

If violations are found to be the result of an individual member presuming to act in the name of the Association without the approval of the parent body, the ALA Executive Board may, under the authority of the Constitution (Article III, Section I), suspend that individual's membership in the American Library Association.

Delete the heading: "A.4.5 Units" from ALA Policy Manual, Section A (OLD NUMBER 6.5)

Response: The revised policy was recodified and placed into the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from *ALA Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into *ALA Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12.

Implementation Action: The ALA Council **APPROVED**, the insertion of the following into the *ALA Policy Manual* as indicated below:

A.4.3.4.1 Policies of the American Library Association in Relation to its Membership Divisions (OLD NUMBER#6.4.1)

A.4.3.4.2 I. Preamble

The American Library Association (ALA) is unique among American associations in the manner in which it is structured. It is one association, with indivisible assets and a single set of uniform administrative, financial, and personnel policies and procedures. It is governed by one Council, from which its Executive Board is elected, and is managed by an Executive Director who serves at the pleasure of that Board. It is also the home for eleven Divisions, each of which has:

- a statement of responsibility developed by its members and approved by ALA Council;
- a set of goals and objectives established by its members, which drive its activities;
- an Executive Director and other personnel as necessary to carry out its programs;
- responsibility for generating revenue to support staff and carry out its programs; and,
- a separate Board of Directors, elected by its members, and responsible to ALA Council.

Divisions and all other units of ALA are inextricably interrelated in structure, personnel, resources, overall mission, and operations. All members of Divisions are first members of ALA. Their voluntary selection of Division membership is an indication of their special interests, in addition to their general concern for libraries and librarianship, and it demands the commitment of the Divisions to serve those special interests.

By this commitment, expressed in publications, conference programming, advisory services, and other educational activities germane to their mission statements, the Divisions serve the American Library Association as a whole. By supporting Division operations through the provision of space and services, ALA gives tangible evidence of its recognition of the importance of Divisions in meeting the needs of its members.

The nature of the relationships among the various ALA units is a dynamic one. Divisions and ALA are committed to maintaining a collaborative style of interaction and to remaining flexible enough to address the ever-changing issues facing libraries and librarians.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

This collaborative model implies mutuality in all relationships, the ability of any aggregation of units to work together for the common good, and the coexistence of Division autonomy and ALA unity.

This policy document implies the need for a mutual understanding of the differences between Divisions and other ALA units, differences which are balanced by a similarity of interest and activity. It underscores the Divisions' willingness to support and contribute to ALA as a whole and their recognition of the interdependence of all ALA units.

These policies must be based on an appreciation by the total membership and by other ALA units of the Divisions' contributions to ALA as a whole. An activity carried out by a Division is an ALA activity. Division staff members are ALA staff members and represent ALA as well as their own Divisions in work with members and the general public. Division officers and members must recognize the value to the Division of the services provided by ALA, and ALA members and units must recognize the value to ALA as a whole of the services provided by Divisions.

Divisions are integrally involved in the decision-making process of the Association. They exercise their decision-making prerogatives through the following means:

- Full authority within those areas of responsibility designated by ALA Council (ALA Bylaws, Article VI, Section 2b)
- Representation on ALA Council to raise issues and to set policy (ALA Bylaws, Article IV, Section 2c; **ALA Policy A.4.2.3**) (~~delete: ALA Policy 5.3~~)
- Representation on the Planning and Budget Assembly (ALA Bylaws, Article VIII, Section 2)
- Negotiation of performance objectives of Division Executive Directors with the Associate Executive Director, Member Programs and Services (ALA Bylaws, Article VI; **ALA Policy A.4.3.1.8**) (~~delete: ALA Policy Appendix 1 VII~~)
- Day-to-day involvement of Division staff in the operations and deliberations of the Association Representation on Association-wide bodies including the Legislative Assembly, the Library Education Assembly, and the Membership Promotion Task Force
- Representation on Association-wide bodies including the Legislative Assembly, the Library Education Assembly, and the Membership Promotion Task Force

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- Participation in the planning process

In sum, this document is designed to continue a cooperative framework in which the inevitable questions of organizational relationships can be addressed and resolved.

A.4.3.4.3. II: Current Organizational Values of ALA

This statement reflects the current organizational values of the American Library Association and was developed through reference to existing ALA documents.

A. Unity

ALA is one association. It has a single set of administrative, financial, and personnel policies and procedures, as well as indivisible assets. All members of Divisions are members of ALA. Divisions and all other ALA units are inextricably interrelated in structure, personnel, resources, overall mission, and operations.

B. Diversity

ALA has a stake in the work of each of its Divisions. Division activities and services are of value and importance to the Association. They provide for a rich and diverse program that gives opportunities to all segments of the profession for involvement, leadership, and participation in activities that carry out the mission, goals, and priorities of the Association.

C. Authority

Recognizing the significant contribution, resources, and expertise of its Divisions, ALA delegates the authority and responsibility to represent the Association in designated areas to each Division. Each Division provides unique programs and services to its members, to all members of the Association, to the profession of librarianship, to the broader educational community, and to the public at large.

D. Autonomy

ALA provides leadership for the development, promotion, and improvement of library service. ALA values the strength and effectiveness of its Divisions. Divisions are best able to carry out their missions when their members have the autonomy, independence, and freedom to pursue goals and objectives of particular concern to them, as well as to participate democratically in the Division's direction, governance, and financial decisions.

E. Collaboration/Cooperation

ALA and its Divisions have opportunities through the Association's unique governance and administrative structure to stimulate and build on one another's strengths and resources to advance shared, as well as diverse, goals.

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A.4.3.4.4 III. Purpose, Scope, Implementation, Review Process, and Definitions

A. Purpose and Scope

Divisions have a substantial degree of autonomy and responsibility; however, the corporate and legal entity is the American Library Association. Any responsibilities not specifically delegated to Divisions remain within the authority of the Executive Board and ALA Council. The principal intent of this document is to define the policies governing the relationship between ALA and its membership Divisions.

In addition to the ALA Constitution and Bylaws and other ALA Policies, this document provides a framework of guiding principles for that relationship. As a policy document, its adoption and approval of revisions are the responsibility of the ALA Council. ALA has other policies and procedures that govern the relationships with other organizational units.

B. Implementation

Implementation of these policies will be carried out under the direction of the ALA Executive Director, working with the department heads and Division executive directors. Major operational decisions made in that implementation will be codified in documents referred to as "Operational Practices."

C. Review Process

To make this Agreement responsive to the needs of the Association, it shall be reviewed on an annual basis by those responsible for the governance of ALA and its membership Divisions. Changes may be recommended by Division leadership, ALA staff and management, or other interested parties at any time; however, BARC shall initiate the review process annually according to the following schedule:

- Fall BARC Meeting-At this meeting, BARC develops agenda of major emerging issues and requests input from Divisions. The annual indirect cost study shall be available.
- Midwinter-Divisions discuss any operating agreement issues identified by BARC and raise other operating agreement issues to be discussed by BARC at its Spring meeting. The Planning and Budget Assembly (PBA) may be used as a forum for PBA participants to identify operating agreement issues of concern.
- Spring BARC Meeting-Mandated discussion of operating agreement issues raised by Divisions, ALA staff and management, and/or other interested parties. BARC recommends mechanism and time table for cooperative actions with Divisions to address proposed changes.
- Annual-Operating agreement is a mandated item on PBA agenda. Division Boards review any BARC recommendations and respond to BARC. BARC forwards any

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necessary recommendations to Executive Board for action by Council. Any changes undertaken in this Operating Agreement shall be implemented consistent with the budget cycle of ALA and its Divisions and shall be done in such a manner as to minimize negative impact on the program of ALA and of the Divisions.

Roles of Key Parties to operating agreement

- Division Boards: identify problem areas and issues; initiate actions necessary for revisions; work with Division staff and other Divisions as appropriate to explore problems and solutions; make recommendations to BARC to initiate revisions.
- BARC: identify problem areas and issues; communicate information concerning the operating agreement through PBA to Council and to ALA at large; work with Division leaders and ALA management to recommend solutions and consequent revisions to operating agreement.
- ALA Management: identify problem areas and issues and work with the Division Executive Directors to explore problems and solutions. Review policies and make recommendations as appropriate to BARC and Executive Board. Division
- Executive Directors: identify problem areas and issues and review as appropriate with management and Division Boards.

D. Definitions

The following definitions are guidelines for members and staff in the development, review, and implementation of these policies:

- *Policies*: Guiding principles that provide the framework for the relationship between ALA and its membership Divisions. Policies reflect the views and thinking of membership, and provide a guide to action to achieve the goals of the American Library Association. Policies are adopted by the Council of the American Library Association.
- *Operational Practices*: Definitions of the manner or method of implementing policies. Operational Practices (1) deal with terms under which services will be provided free of charge or at a cost; (2) define roles and responsibilities in policy implementation; and (3) reflect other issues contained in the "Policies" document that may require negotiation between departments and membership Divisions.

Operational Practices are developed by the ALA Executive Director with the ALA Department Heads in consultation with the Division executive directors and appropriate personnel in the department responsible for the activity described. Department personnel will provide draft copies of those procedures for review and

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comment to appropriate ALA staff members whose work will be affected by those procedures. Copies of Operational Practices are supplied to appropriate membership units responsible for the governance of ALA and its membership Divisions.

Detailed information about implementation of the policies outlined throughout this document is found in the Operational Practices for the Implementation of Policies of the American Library Association in Relation to Its Membership Divisions.

- *ALA Basic Services:* Those services made available to all ALA members at no additional charge beyond their ALA dues. Dues provide the primary support for basic services. Basic services may be supported by dues or other options as approved by the Executive Board. Basic ALA services include: American Libraries, information/advisory services, support for governance/member groups, public/professional relations, administration of awards and scholarships, membership promotion/retention, executive/ administrative/financial services; offices: research, personnel resources, outreach services, government relations, intellectual freedom, accreditation; Library.
- *Division Basic Services:* Those services made available to all Division members at no additional charge beyond their Division dues. Dues provide the primary support for basic services. Basic services may be supported by dues or other options as determined by Division Boards. Basic Division services include: periodical publications designated as perquisites of membership, information/advisory services, support for governance/member groups, public/professional relations, administration of awards and scholarships, membership promotion/retention, executive/administrative/financial services.
- *Overhead:*
 - a. Internal: that overhead rate applied to units of ALA, e.g., the annual overhead rate paid by divisions for revenue-generating activities identified in this policy document.
 - b. External: that overhead rate applied for the purposes of external reporting, e.g., grants and taxes.
- *Fund Balance:* Accumulated net revenue.

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A.4.3.4.5 ~~IV.~~ Use of ALA Services

All ALA Divisions must use exclusively the following services provided by ALA: Human Resources, Membership Services, telephone, insurance, purchasing, Fiscal Services Department, Legal Counsel, and Archives. ALA Divisions must be housed in properties owned or leased by the Association.

A.4.3.4.6 ~~V.~~ Financial

Divisions are governed by prevailing ALA fiscal policies and procedures. Divisions shall participate in formulating and revising these policies and procedures.

A. Dues

Divisions have the right to establish their own personal and organizational dues structures and set membership perquisites. (ALA Bylaws, Article I. Section 2; Article VI. Section 6)

Discount and special promotion dues authorized by the ALA Executive Board apply only to that portion of dues applying to ALA membership. Divisions receive proportionate reimbursements for "free" Division choices of continuing and life members. (ALA Bylaws, Article I, Section 2; A.7)

B. Council Actions with Fiscal Implications

Council resolutions that would impose specific assignments on a Division shall be reviewed by BARC with the Division Board of Directors to assess any financial implications of that assignment. BARC shall report back to Council with recommendations as to any budgetary adjustments necessary to implement such assignments prior to final Council action on that item. **(ALA Policy A.4.2.2) (OLD NUMBER 5.2)**

C. Services and Charges

The fiscal arrangements between ALA and its membership Divisions in regard to charges for services can be categorized in five ways. The five categories are defined below. Specific examples of the services in each category are given.

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1. ALA provides to Divisions at no direct charge the following services of ALA Departments and Offices:
 - a. Staff Support Services Department
 - Office space and related services
 - Telephone services: switchboard, 800 number, and internal service, as defined in an Operational Practice
 - Distribution services
 - Basic furniture and equipment (as defined in an Operational Practice) for each regular Division staff member
 - Equipment maintenance on equipment supplied by ALA
 - Personnel services
 - Purchasing
 - Data processing (as defined in an Operational Practice)
 - Storage and warehouse space
 - b. Member Programs and Services and Communications Departments
 - Conference Arrangements, including:
 - Staff travel costs and per diem for Midwinter Meetings and Annual Conferences
 - Equipment (e.g., AV and computers including the cost of labor), supplies, services, and space for programs, meetings and offices at the Midwinter Meeting and Annual Conference (as defined in an Operational Practice)
 - Exhibit space at Annual Conference
 - Membership services
 - Public information services, including the preparation and distribution of news releases

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- c. Fiscal Services Department
 - Accounting
 - Financial systems
 - Planning and budgeting
 - Business expense (insurance, legal, audit)
 - Credit and collections
 - d. Publishing Department
 - Copyright service
 - Rights and permissions
 - e. Executive Office
 - f. Washington Office
 - g. Office for Intellectual Freedom
 - h. Office for Literacy and Outreach Services
 - i. Office for Library Personnel Resources
 - j. Office for Research
 - k. Library and Research Center
2. ALA charges Divisions for the actual costs of the following services of ALA departments:
- a. Staff Support Services
 - Specialized data processing, as defined in an Operational Practice
 - Equipment maintenance for equipment purchased by the Division over which the Division exercises sole use and control
 - Printing and duplication, as defined in an Operational Practice
 - Telephone services not specific in **Section 4.3.4.6, C.1.A (V.C.I.A)**, as defined in an Operational Practice

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- Postage for special mailings, as defined in an Operational Agreement
- b. Fiscal Services
 - Overhead on non-dues revenue-generating activities. The rate will be set annually according to an ALA Operational Practice and will be assessed as explained below on non-dues revenue at a composite rate.
 - Overhead will be assessed at 100% of the ALA composite rate (at the end of a four-year phase-in period, beginning in 1991 and ending in 1994) on revenue from:
 - registration fees
 - exhibit space rental
 - meal functions, except for separately-ticketed events (The schedule for phase-in of the ALA composite overhead rate on revenues is:
 - 50% of the ALA composite rate in 1991 and 1992
 - 75% of the ALA composite rate in 1993
 - 100% of the ALA composite rate in 1994).
 - Overhead will be assessed at 50% of the ALA composite rate (at the end of a five-year phase-in period, beginning in 1991 and ending in 1995, in equal annual increments) on revenues from:
 - net sales of materials
 - subscriptions
 - advertising except in those publications which are provided to Division members as a perquisite of membership
 - other miscellaneous fees.
 - Overhead will not be assessed on revenues from:
 - dues
 - donations
 - interest income
 - ALA royalties to Divisions
 - travel expense reimbursements from outside organizations
 - separately-ticketed events at conferences (e.g., tours and meal functions)

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

- advertising in those publications which are provided to Division members as a perquisite of membership

c. Publishing

- Subscription and order billing services
- Central production services marketing services

3. ALA and the Divisions share the costs of the following:

- Division Leadership Enhancement Program
- Awards promotion

4. Divisions assume total responsibility for the following costs:

- Division personnel compensation
- Projects and activities of the Divisions except as specified in this agreement
- Membership group support (governance- boards, committees, etc.)
- Furnishings and equipment purchased by Divisions and over which they have sole control and use. See also Section IX, Annual Conference and Midwinter Meeting.

5. Divisions may:

- Purchase services or products from other ALA units and outside agencies, consistent with ALA policy.

D. Fund Balances

1. ALA Divisions build and maintain fund balances appropriate to their needs. A fund balance is defined as accumulated net revenue.
2. Divisions will not receive interest on fund balances or deferred revenue.

E. Endowments

Divisions may establish endowments or add to existing Division endowments from any source including existing fund balances once the Division has reached a minimum fund balance as determined by the Division and approved in accordance with the budget review process and approved financial plan. The establishment of Division endowments will follow the guidelines outlined in ALA policy. The use of the interest from these Division endowments will be subject to Division Board approval and applicable ALA policy.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

F. Furniture and Equipment

ALA will provide basic furniture and equipment to each regular Division staff member.

Divisions will retain sole control and use of all furniture and equipment purchased with Division funds.

Divisions may acquire additional furniture and equipment in two ways:

1. Above the capitalization limit:
 - a. Divisions have authority to purchase capital equipment outright by paying the full price to ALA, with ALA taking the depreciation.
 - b. Divisions can purchase furniture and equipment through ALA budget request process by paying the scheduled depreciation, subject to ALA priorities and approvals.
2. Below the capitalization level, Divisions have the authority to purchase equipment outright.

G. Division Budget Review

Division Boards have responsibility for developing and approving budgets and multi-year program and financial plans, which are then reviewed by ALA management and BARC. Annual budgets are approved by the ALA Executive Board. Divisions also have the responsibility to alert the Association to any planned activities that could have a potential negative impact upon the fiscal stability of the Association.

H. Divisions with Small Revenue Bases/Number of Members

ALA Council has assigned specific responsibilities to Divisions. To carry out these responsibilities, each Division requires a base of operating revenue. ALA recognizes that each Division must have staff and must provide basic services to its members as defined in Section III. When a Division's current revenue from dues and other sources excluded from overhead is not sufficient, ALA recognizes its obligation to provide supplemental financial support up to a maximum of 500/o of the funding required. This support would be provided only as a result of a well-planned process that is an integral part of the annual budget process that includes review by BARC and approval by the Executive Board. This type of support would not be available to a Division, which, at the end of a fiscal year happened to find itself in a deficit position. Annually BARC and the Executive Board will determine and approve the specific amount of funding required to provide a minimum level of staff and basic services, compare this amount to the Division's estimated revenue, and allocate an appropriate General Fund supplement.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

Divisions must generate from dues and other revenue excluded from overhead at least 50% of the funding required to provide basic services. If a Division is unable to meet this 50% level for two consecutive years, its status as a Division must be referred to Council by the Executive Board, with an appropriate recommendation. Money from the General Fund will not be used to offset expenses for non-dues revenue-generating products and services. Divisions may retain the net revenue from these activities to initiate and support other similar activities in the future.

I. Association Finances

The Divisions will be kept informed about the Association's financial health and will be involved in meaningful consultation when there is potential impact on Divisions, collectively or individually.

J. Other

1. Credit and Collections

Management will provide effective credit and collection policies and services to the Divisions. Divisions will be charged for their bad debts in accordance with ALA policy.

2. Unrelated Business Income Taxes (UBIT)

To the extent that Divisions incur unrelated business income, they will assume responsibility for paying the resulting taxes.

A.4.3.4.7 ~~VI.~~ Publishing Activities

The ALA Publishing Committee has the responsibility for control of the ALA imprint.

A Division may publish materials in three ways: through ALA Publishing Services, on its own, or through an outside publisher. Materials prepared by a Division for other than its own publication must be offered to ALA Publishing Services for first consideration. A Division has the right to accept or reject ALA's offer and pursue other publishing opportunities.

Divisions exercise editorial and managerial control over their periodicals.

The ALA Publishing Committee shall be informed of plans for any new Division periodicals prior to publication.

A Division may purchase production and distribution services from ALA's central production unit. A Division may also purchase marketing services from the Publishing Services Department.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

ALA Publishing Services pays royalties to Divisions for Division-generated materials. Divisions may negotiate with ALA Publishing Services on royalties and other variables of publishing. An "Intra-mural Agreement of Publishing Responsibility" is signed by the Division Executive Director and the Director of Publishing Services for each publishing project.

ALA has the sole right to record and market tapes of programs at ALA conferences with the advance consent of the units and speakers. Divisions receive royalties from the sale of tapes of a Division's conference programs. Divisions have the right to record and market tapes of Division pre-conferences, programs at ALA Annual Conferences that ALA chooses not to record, Division national conferences and regional institutes.

A.4.3.4.8 VII. Personnel

All ALA personnel are responsible to the ALA Executive Director and through the Executive Director to the entire membership. Unlike other ALA personnel, Division Executive Directors are also responsible to Division Boards and through those Boards to the memberships of their respective Divisions.

All ALA employees are subject to ALA's personnel policies. Each Division shall be responsible for generating the income required for the salaries, wages, and benefits of Division employees.

Each Division Executive Director serves as an ALA Program Director, a senior professional position, and is responsible for advising on ALA plans and preparing recommendations on priorities and alternatives, especially as they relate to the Division's priorities, goals, and objectives. The Division Executive Director meets regularly with other ALA staff members and communicates, cooperates, and coordinates Division activities with those of other ALA units.

The assignment of the appropriate grade for Division staff is made according to ALA personnel policies. The determination of the appropriate staffing pattern (number and position descriptions) shall be made by the Division Executive Director and the Division Board in consultation with the ALA Executive Director.

The recruitment, appointment, and termination of Division Executive Directors shall be a process involving consultation by the ALA Executive Director with the Division Board of Directors or its designates.

Each Division's Board of Directors shall annually review the performance of the Division's Executive Director based upon a single set of goals and objectives as agreed upon by the Division Board, Associate Executive Director, Member Programs and Services, and Division Executive Director. The Division Board shall convey its recommendation to the Associate Executive Director, Member Programs and Services, to whom the ALA Executive Director has delegated the responsibility for evaluating the performance of Division Executive Directors. The Associate Executive Director, Member Programs and Services, shall discuss the confidential report of the performance review with the Division's President upon request.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. (*continued*)

Division Executive Directors shall have the authority to select, evaluate, and recommend termination of all Division employees, consistent with ALA personnel policies and procedures. Assignments of Division staff to ALA internal committees are arrived at in the context of Division priorities and are kept at a reasonable level.

A.4.3.4.9 ~~VIII.~~ Division National Conferences, Pre-conferences, and Related Activities

Divisions may conduct pre-conferences, workshops, institutes, seminars, and Division national conferences, in accordance with ALA Policy, at intervals determined by Division program priorities and supported by sound financial management. A Division is responsible for all costs incurred in planning and carrying out such activities. (ALA Policy A.7.2.2)

Division National Conferences shall be defined as "non-business conferences removed in time and place from the American Library Association's Annual Conference" and Midwinter Meeting in order "to view and explore areas of divisional concerns in depth." Proposals for Division National Conferences should be made to the ALA Executive Board at least two years in advance of the anticipated meeting date following a prescribed proposal outline. ALA state and regional chapters in the geographical area of a proposed conference shall be notified in writing of a desired conference prior to submitting the request to the Executive Board. Such notice shall seek the cooperation of the chapters with respect to scheduling and programming to the extent feasible. The Division shall contact the host Chapter prior to determining date availability with the host city. The Division shall contact the chapters in the geographical area immediately after determining date availability with the host city. In the event of a conflict with the ALA state or regional chapters and the proposed divisional conference, the ALA Executive Board shall make the decision in consultation with the chapters.

A.4.3.4.10 ~~XI.~~ Annual Conference and Midwinter Meeting

ALA provides the support necessary for Divisions to conduct business and plan and present Conference programs. Some Conference program costs may be borne by the Division except financial support for staffing and equipment as described in Section

A.4.3.1.6., C.1.b. (~~V.C.1.b~~). Recognizing that conference programming benefits all attendees, financial support in the form of General and Special Allocations from ALA to Divisions and other units for Annual Conference programming shall be provided; this support will be arrived at as the result of an explicit and equitable process in which the Divisions participate. Meal functions and special events must be self-supporting.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #4, Remove Appendix A. "Policies of the American Library Association in Relations to its Membership Divisions" from ALA *Policy Manual*, Section A: Organization and Operational Policies Manual. Insert it into ALA *Policy Manual* Section A as ALA Policy A.4.3.4.1-ALA Policy A.4.3.4.12. **(continued)**

A.4.3.4.11 ~~X~~. Special Projects of Divisions

Divisions may seek external (non-ALA) funding to pursue projects to enhance Division program priorities. Division Boards of Directors have the responsibility for assessing programmatic impact and must approve all requests for funding external projects. Additionally, all proposals and contracts for such funds are signed by the Executive Director of ALA in the name of the Association. All special projects are reviewed, approved, and conducted in accordance with established ALA policies and procedures and the conditions of the grant or contract. All costs for projects funded through grants or contracts from outside agencies or organizations should be covered by project funding.

A.4.3.4.12 ~~XI~~. Planning

Each Division has autonomy in its own planning processes within its area of responsibility as designated by ALA Council, subject to present and future ALA policies. They have the responsibility to develop and implement a planning process to guide their program and allocate their resources within the areas of responsibility assigned to them by the ALA Council. Since Divisions contribute to the formulation of ALA goals, it may be expected that many of the priorities and activities reflected in the plans will also be a part of Division priorities and activities. Further, each Division has responsibility for providing ALA with a multi-year financial plan consistent with ALA's existing financial policies and resting on multi-year program plans reflecting the priorities of the Division's members. Divisions have a responsibility to assist and inform the ALA Executive Board of their strategic plans on a regular basis, and to inform the ALA Executive Board of their work through timely and comprehensive reporting.

Response: The revised policy was recodified and placed into the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #5, Delete the following heading from ALA *Policy Manual* Section B: B. 11.3 Washington Office Responsibility,

Implementation Action: The ALA Council, **APPROVED**, the deletion of the heading: ~~B.11.3 Washington Office Responsibility~~ from the *ALA Policy Manual*.

Response: The above heading was deleted from the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#17, Policy Monitoring Committee Report, Item #6, ALA CD#31, Resolution to Change Policy B.9.2.2. School Library Media Specialists (formerly ALA Policy #54.2.2)

Implementation Action: The ALA Council **ADOPTED**, the following policy language change in Policy B.9.2.2 School Library Media Specialists (formerly ALA Policy #54.2.2) from this text:

“The master’s degree in library and information studies from a program accredited by the American Library Association or a master’s degree with a specialty in school library media from an educational unit accredited by the National Council for the Accreditation of Teacher Education is the appropriate first professional degree for school library media specialists. “ Adopted July 11, 1988, by ALA Council; revised 2008)

To this text:

Policy B.9.2.2 School Librarians (formerly ALA Policy #54.2.2):

“The master’s degree in library and information studies from a program accredited by the American Library Association or a master’s degree with a specialty in school librarianship from an ALA/AASL Nationally Recognized program in an educational unit accredited by the Council for the Accreditation of Educator Preparation is the appropriate first professional degree for school librarians.”

Adopted July 11, 1988, by ALA Council; revised 2008, 2013.)

Response: The revised policy language as noted above was recodified and incorporated into the online *ALA Policy Manual*.

Document Number/Title of Document: ALA CD#14-14.1, ALA Membership Committee on Personal Membership Dues.

Implementation Action: The ALA Council **REFERRED**, ALA CD#14 re: personal members dues proposal to the Executive Board to bring back revised language that includes a review process for a vote in Council III.

Response: On Tuesday, January 29, the ALA Council **APPROVED**, a dues adjustment proposal (ALA CD#14.1) and directed that it be placed on the spring ALA ballot for membership approval.

The actual resolution passed by Council reads:

“Beginning in September 2013 and continuing annually through September 2017, personal member dues will be reviewed by the ALA Executive Board, which may approve a dues adjustment not to exceed the percentage change in the national average Consumer Price Index (CPI) for the previous calendar year, rounded to the nearest dollar. Any increase beyond the above provision proposed by the Executive Board will require approval by a vote of Council and a mail vote of ALA personal members.”

Document Number/Title of Document: ALA CD#14-14.1, ALA Membership Committee on Personal Membership Dues. (*continued*)

This provision shall be formally evaluated by the Executive Board and Council in 2016 with input from ALA personal members. Any subsequent dues adjustment will require approval by a vote of the ALA Executive Board, Council and a mail vote of ALA personal members.

This dues adjustment mechanism will allow ALA to augment valuable work on its many ALA 2015 strategic initiatives including library advocacy, federal legislation, intellectual freedom, diversity, digital content, community engagement, online continuing education, and member engagement.

With an average CPI increase of 2.5% a year, this would translate into \$1-\$4 per year based on membership type. These small increases spread over thousands of member will provide ALA with consistent financial resources to continue work on the goals in the ALA strategic plan in an ongoing, sustainable manner.

A question and answer document about the dues proposal is available on the ALA

Member blog: <http://americanlibrariesmagazine.org/ala-members-blog/ala-council-approves-dues-adjustment-proposal>

Note: The personal member dues initiative was ratified by the ALA membership during the 2013 ALA election.

Document Number/Title of Document: ALA CD#27, Committee on Organization Report on the Creation of a Sustainability Round Table.

Implementation Action: The ALA Council **APPROVED**, the creation of a Sustainability Round Table. The purpose of the Sustainability Round Table is to provide: "A forum for ALA members to exchange ideas and concerns regarding sustainability in order to move toward a more equitable, healthy, and economically viable society. Resources for the library community to support sustainability through curriculum development, collections, exhibits, events, advocacy, communication, and library buildings and space design."

Response: For information about the newly created round table, contact John L. Amundsen, Program Officer, Outreach and Communications, Office for Literacy and Outreach Services, jamundsen@ala.org. John serves as the ALA staff liaison to the round table.

Document Number/Title of Document: Memorials Resolutions, M-#1-11, and Tribute Resolution, T-#1.

Implementation Action: The ALA Council **ADOPTED**, the following memorials: Alice Holly Scott, M-1 and M-11; Leo Dillon, M-2; Clara Stanton Jones, M-3; Phyllis Brodnax Heroy, M-4; Aaron Swartz, M-5; Joseph Branin, M-6; Harris Clark McClaskey, M-7; Barbara Ann Schmitt Webb, M-8; Genevieve "Kay" Bishop, M-9; and William (Bill) DeJohn, M-10.

Document Number/Title of Document: Memorials Resolutions, M-#1-11, and Tribute Resolution, T-#1. (*continued*)

Also, the ALA Council **ADOPTED**, a Tribute Resolution Dedicated to the Association for Library Services to Children (ALSC) on the Occasion of the 75th Anniversary of the Caldecott Medal. T-1

Response: All memorial and tribute resolutions were disseminated as directed by the resolutions.

Document Number/Title of Document: ALA CD#11.2, Tellers Report on the ALA Executive Board Election

Implementation Action: The ALA Council **ELECTED**, the following persons to three-year terms on the Executive Board (2013-2016): Sara Kelly Johns and James (Jim) G. Neal.

Response: The newly elected Board members will begin their terms at the close of the 2013 ALA Annual Conference. They will be seated at the first meeting of the 2013-2014 Executive Board in Chicago, IL, October 25-27, 2013.

Document Number/Title of Document: Council International Relations Committee Report on ALA CD#18.1, Resolution on Supporting the WIPO Treaty for Improved Access for People Who are Blind, Visually Impaired and with Other Print Disabilities.

Implementation Action: The ALA Council **ADOPTED**, ALA CD#18.1, Resolution on Supporting the WIPO Treaty for Improved Access for People Who are Blind, Visually Impaired and with Other Print Disabilities, which read: "that the American Library Association (ALA) on behalf of its members:

1. endorses the Obama Administration's statement that access to information is a universal right;
2. commends the United States delegation to World Intellectual Property Organization (WIPO) for their recognition of libraries as critical providers of accessible content; and
3. supports the call for a diplomatic conference to enact the WIPO International Instrument/Treaty on Limitations and Exceptions for Visually Impaired Persons/Persons with Print Disabilities.

Response: The resolution was sent to President Obama and U.S. WIPO Delegation. Delegation leader acknowledged receipt of resolution.

Document Number/Title of Document: Council International Relations Committee Report on ALA CD#18.2, Resolution on United States Funding and Participation in UNESCO.

Implementation Action: The ALA Council **ADOPTED**, ALA CD#18.2, Resolution on United States Funding and Participation in UNESCO, which read: "That the American Library Association (ALA) on behalf of its members:

1. urges Congress to approve the national interest waiver so the United States can again pay its dues, and become a fully functioning member of the United Nations Educational, Scientific and Cultural Organization (UNESCO).

Response: The resolution was sent to Secretary of State John Kerry, and all members of Congress. No response has been received at this time.

Document Number/Title of Document: ALA Committee on Legislation Report on ALA CD#20.1, Resolution Supporting the Application of the First Sale Doctrine of the Copyright Law to all Materials in Library Collections,

Implementation Action: The ALA Council **ADOPTED**, ALA CD#20.1, Resolution Supporting the Application of the First Sale Doctrine of the Copyright Law to all Materials in Library Collections, which read: "That the American Library Association (ALA), on behalf of its members:

1. reaffirms the essential role of the First Sale Doctrine in ensuring that the education, research, and library communities continue to support the Constitutional purpose of copyright law by promoting the advancement and sharing of knowledge, innovation, and creativity, wherever made; and
2. urges the United States Congress to pass legislation to remedy any judicial decision that limits libraries ability to lend copies of foreign-made works under the First Sale Doctrine."

Response: The ALA continues to be a leading member in the Owners' Rights Initiative (ORI), the largest coalition in the country dedicated to protecting the First Sale Doctrine. This resolution was shared with the ORI executive director and steering committee. The second clause of the "Resolved" section was contingent upon the Supreme Court issuing a ruling that limited the First Sale Doctrine. This was not the case but the ALA, with ORI, continues to urge Congress to maintain and protect a strong First Sale Doctrine in any reform to the Copyright Act.

Document Number/Title of Document: ALA Committee on Legislation Report on ALA CD#20.2, Resolution Honoring Senator Olympia J. Snowe for her Support of America's Libraries.

Implementation Action: The ALA Council **ADOPTED**, ALA CD#20.2, Resolution Honoring Senator Olympia J. Snowe for her Support of America's Libraries, which read: "That the American Library Association on behalf of its members:

1. extends its deepest appreciation to Senator Olympia J. Snowe for her extraordinary service and record of achievement; and
2. thanks her for years of dedicated commitment to libraries and the American public that depends upon them."

Document Number/Title of Document: ALA Committee on Legislation Report on ALA CD#20.2, Resolution Honoring Senator Olympia J. Snowe for her Support of America's Libraries.
(continued)

Response: The resolution was personally delivered to Senator Snowe by Linda Lord, chairperson of the ALA E-rate Taskforce and the Maine State Librarian.

Senator Snowe expressed her deep appreciation and her intention to continue to support libraries, the E-rate and other related issues.

Document Number/Title of Document: ALA CD#35, Resolution on Divestment of Holdings in Fossil Fuel Companies.

Implementation Action: ALA CD#35, Resolution on Divestment of Holdings in Fossil Fuel Companies was ruled "out of order" for the following reasons:

1. Not reviewed by the Budget Analysis and Review Committee (BARC).
2. Not submitted to the Resolutions Committee 24 hours before this Council III session.

ALA CD#35, Resolution on Divestment of Holdings in Fossil Fuel Companies, which read:

"That the American Library Association on behalf of its members:

1. goes on record to publicly recognize that human generation of CO₂ is resulting in global climate change;
2. directs its endowment trustees to divest all holdings in the fossil fuel industry and invest in renewable energy initiatives;
3. renews relations with the Book Industry Environmental Council, the Green Press Initiative, and other partners in the publishing and information technology industries to explore how we can help our communities and nation transition away from a fossil fueled economy;
4. calls on President Obama to hold a White House Conference on Climate Change which libraries will assist in launching with a series of library-based local, state, regional, national, and international community conversations focused on planning and implementing a peaceful transition to a post-fossil fuel, sustainable human relationship with the planet; and
5. amend ALA Policy B.5.5 to state that libraries are urged, in addition to the collection and provision of information regarding the environment, to take steps in assisting communities transition to fossil-free, renewable, sustainable energy sources."

Document Number/Title of Document: ALA CD#35, Resolution on Divestment of Holdings in Fossil Fuel Companies. (*continued*)

Response: On June 19, 2013, ALA Executive Director Keith Michael Fiels sent the following status report on the Resolution on Fossil Fuel Divestment:

"We've had some questions on the status of the Resolution on Fossil Fuel Divestment that was introduced at the Midwinter Meeting. We have checked with our Parliamentarian Eli Mina, who has provided us with the following analysis:

"The resolution was ruled out of order after a point of order about it was raised (on the ground that ALA policy dictated that such resolutions had to go through BARC first).

BARC and the Trustees can report at the Information Session that, although the resolution was ruled out of order (on the ground that it had to go to BARC), they nonetheless proactively assessed its potential impact on the Endowment Fund and arrived at certain conclusions.

The next step could be taken by the proponents of the resolution, who may opt to present it (or a modified version thereof) at the Membership Meeting and/or at Council."

"I should note that, under the ALA Constitution, the Trustees operate under directions given to them by the Executive Board and not by Council. Therefore, the passage of any resolution on the Endowment Fund by Council would have an advisory effect and will not bind the Trustees unless the Board formally directed them to do so."

To recap: BARC and the Endowment Trustees have studied the issue and are presenting an analysis and recommendations, but a new resolution or resolutions will need to be introduced. I understand that the proponents of the resolution are aware of this and are planning on presenting a new resolution."

Document Number/Title of Document: CD# 36, Resolution Reaffirming ALA Support for Whistleblowers Including Bradley Manning and John Kiriakou

Implementation Action: The ALA Council **ADOPTED**, A motion to delete Whereas #12- #18; Resolve Clause #2, and the names of Bradley Manning and John Kiriakou from the title of ALA CD# 36, Resolution Reaffirming ALA Support for Whistleblowers Including Bradley Manning and John Kiriakou, as follows:

(1) ~~36, Resolution Reaffirming ALA Support for Whistleblowers Including Bradley Manning and John Kiriakou~~

(2) ~~Whereas Clauses #12-18:~~

~~12. whereas President Obama's language in his signing statement for the 2013 National Defense Authorization Act limits the scope of whistleblower protections in a manner that could create a chilling effect for whistleblowers and the agencies tasked with protecting them;~~

Document Number/Title of Document: CD# 36, Resolution Reaffirming ALA Support for Whistleblowers Including Bradley Manning and John Kiriakou (*continued*)

~~13.—whereas the current administration has prosecuted more government officials under World War I era Espionage Act than all previous administrations, in some cases leading to charges being dismissed;~~

~~14.—whereas among those who have been charged under the Espionage Act are whistleblowers Private First Class Bradley Manning and former CIA agent John Kiriakou;~~

~~15.—whereas in May 2010 Bradley Manning was arrested for allegedly leaking classified materials to the anti secrecy website WikiLeaks leading to numerous charges including aiding the enemy by indirect means, the first time a soldier has been imprisoned under this charge as a result of giving information to a news outlet;~~

~~16.—whereas on Feb. 23, 2013, Manning will have been imprisoned for 1,000 days without trial under conditions ruled as “unlawful pretrial punishment” by the presiding Judge Denise Lind, and described by Amnesty International as “unnecessarily severe” and “inhuman”, denounced by more than 300 legal scholars in the United States as “a violation of the Eighth Amendment’s prohibition of cruel and unusual punishment and the Fifth Amendment’s guarantee against punishment with trial, and characterized by the United Nations special Rapporteur on torture as “cruel, inhuman, and degrading”;~~

~~17.—whereas Daniel Ellsberg has compared the actions of which Manning is accused to the release of the Pentagon Papers; and~~

~~18.—whereas on April 3, 2012, the current administration indicted intelligence whistleblower John Kiriakou for alleged mishandling of classified information for his 2007 role as the first CIA insider to expose the agency’s use of water boarding and other torture in its interrogations, leading to a sentence of two and a half years in prison on January 25, 2013; now, therefore, be it~~

(3) Resolved Clause #2

~~2.—commends Bradley Manning, John Kiriakou and other whistleblowers acting at great personal risk to ensure that the government can be held accountable by the public.~~

The ALA Council also **REFERRED**, 2012-2013 ALA CD#36, Resolution Reaffirming ALA Support for Whistleblowers, as amended above to the Intellectual Freedom Committee (IFC) and the Committee on Legislation (COL) for a report at the 2013 Annual Conference.

Response: Representatives from each committee have met and they had a call with the chairs of our two committees. Both Pat Scales (IFC chair) and Vivian Wynn (COL chair) have discussed how they are including the discussion of the resolution in their respective COL and IFC meetings starting Friday at conference. The expectation is that each committee will develop its own position and then discuss jointly at their combined meeting on Sunday morning at Annual. The committees will report their positions to Council on Tuesday, July 2, 2013.