

### **Constitution and Bylaws Report**

A Special Committee to Review the ALA Constitution and Bylaws was established by the Executive Board in January 2010 at the ALA Midwinter meeting; see EBD #12.22 2009-2010.

Members of the Committee are Nancy Davenport, Kathleen Degyansky, Norman Horrocks (Chair), James Rettig, and Thomas Wilding. Eli Mina serves as Consultant for the Committee and JoAnne Kempf is the Staff Liaison. The Committee met informally at Midwinter and conducted a business meeting by Conference call on 10 May 2010.

The charge to the Committee is "to undertake a comprehensive review of the ALA Constitution and Bylaws and submit recommended revisions and amendments to ALA Council. The purpose of this review is to identify inconsistencies and provide clarification as necessary." In reporting to Council the establishment of this Committee President Alire said "I want to emphasize that this group is NOT charged with making changes other than those related to consistency or obsolete language."

Accordingly the Committee reviewed the Constitution and Bylaws and found a number of typos in the online version which staff have now corrected. A much smaller number of inconsistencies have been identified which the ALA Standing Committee on Constitution and Bylaws (chaired by Thomas Wilding) will be reviewing at its meeting here in Washington, DC. A residue of points needing further examination will be dealt with by this Special Committee at its meeting in Washington, DC. Any of these items needing Council action will be brought forward at Midwinter 2011 at which time the work of the Committee should be completed.

The Committee did consider recommending that ALA adopt one consolidated document as discussed in Sturgis page 204 para.2. However our Consultant, Eli Mina, spelled out why this was not appropriate given our charge. "Here is my rationale for reluctantly advising against pursuing the consolidation of the Constitution and Bylaws into one document at this time. Although it is generally preferable to have only one consolidated document, attempting to do so in this case may take the Committee beyond its basic charge of ensuring consistency and removing ambiguities.

If the Constitution and Bylaws are to be consolidated, all provisions that deal with like matters will have to be re-grouped and this may mean going beyond the above charge. In addition, one amending process will need to be established for the consolidated document, when currently the two documents have different amending processes. In my estimation, it is very likely that undertaking this consolidation process will lead to questions about ALA's structure, which would effectively exceed the Committee charge.

Had the Committee charge contemplated even a small possibility of making recommendations relating to ALA's structure, I would have suggested to pursue the combining of the documents.

However, this is not the case now, and therefore I recommend that the documents not be combined at this time."

Nancy Davenport  
Kathleen Degyansky  
Norman Horrocks, Chair.  
James Rettig  
Thomas Wilding  
Eli Mina, Consultant  
JoAnne Kempf, Staff Liaison

June 11, 2010