

Minutes
Executive Council Meeting
May 1, 2015 from 12:00 pm – 1:30 pm Eastern Time
Teleconference
Approved June 2, 2015

Present: Marie DeYoung, President and Chair
Sandra Singh, Vice-President
Michael Ridley, Treasurer
Jim Bennett, Councillor-at-Large
Peggy D'Orsay, Councillor-at-Large
Jane Schmidt, Councillor-at-Large
Valoree McKay, Executive Director

Guests: Virginia Clevette, Incoming Councillor-at-Large

Regrets: Pilar Martinez, Past President

Recording Secretary: Agnieszka Arkuszewski, Executive Assistant

1. Call to Order

The business meeting was called to order at 12:00 pm Eastern time. President DeYoung welcomed everyone to the meeting. She noted that this would be her last teleconference meeting before Vice President Singh would take over the role as President.

2. Declaration(s) of conflict of interest

None were declared.

3. Approval of the Agenda (Doc # EC 15-05-001)

There were no additions to the agenda.

MOTION 33-15: THAT the agenda be approved as distributed.

Moved: Michael Ridley Seconded: Jane Schmidt

CARRIED

Unanimous

4. Approval of Minutes of April 10, 2015 (Doc # EC 15-05-002)

Deferred for clarification as there were some errors that were to be resolved.

5. Review of Action List (Doc # EC 15-05-003)

No comments.

6. Approval Intellectual Freedom Statement for Member Consultation (Doc # EC 15-05-004)

Executive Council discussed the draft update of the Intellectual Freedom Statement and the overall consensus was that the document was exceptional.

There was discussion around the conflict that libraries sometimes face today given the evolution of libraries as public spaces and today's technology. The library has a responsibility to uphold intellectual freedom and yet also has a responsibility to ensure safe, harassment free spaces for its patrons and its employees. The example provided was the case of someone viewing violent porn on public computers which has made users and employees feel unsafe. It was suggested that CLA consider creating a toolkit that would provide libraries with guidelines on how to deal with challenges rather than adjusting the Statement itself. All agreed. It was also agreed that it would also be appropriate to create a new statement on anti-harassment.

ACTION: Once the Statement is approved, the Intellectual Freedom Advisory Committee be asked to create a toolkit on how to deal with challenges.

ACTION: Develop a new statement/policy on anti-harassment.

Executive Council then discussed situations whereby libraries see completely contrary behaviour such as posting the Intellectual Freedom Position Statement but then installing filtering software. It was questioned whether or not there was a role for the Intellectual Advisory Committee in these situations. It was agreed that there was no legal recourse for CLA to enforce the Statement as participation is voluntary however a statement could be made encouraging library boards to formally adopt the Intellectual Freedom Position Statement: it was felt that this was a content piece for the toolkit.

Additionally Executive Council discussed the use of the term anonymity in the 5th paragraph of the amended statement. It was noted that there is technically no anonymity at the moment as library users are in the library's system and have cards to enter the building and to use the resources the library provides. After some discussion there was an agreement that the word privacy might be more effective here as it is very difficult to ensure anonymity. Privacy is also something that is already defined in legislation. This would be suggested to the Intellectual Freedom Advisory Committee.

Executive Council requested clarification of the phrase "regardless of origin" found in the 6th paragraph.

They expressed their pleasure to see the reference to volunteers in the 7th paragraph.

Executive Council expressed concern over the suggestion that libraries have a "fiduciary responsibility to uphold" the principles within the Intellectual Freedom Position Statement (paragraph 8). They felt that CLA could not assert this as it suggests a connection to finances rather than ethics and values. It will be suggested that this be tied to ethics and values.

A version with Executive Council's suggestions and questions to the Intellectual Freedom Advisory Committee is appended (Appendix A).

Once finalized and approved the Intellectual Freedom Position Statement would be shared with the membership to review.

ACTION: Marie DeYoung to report Executive Council's feedback on the draft amendments to the Intellectual Freedom Statement to the Intellectual Freedom Advisory Committee to consider incorporating.

Executive Council expressed its sincere appreciation for the great work done by the Intellectual Freedom Advisory Committee on revising the Intellectual Freedom Statement.

7. Finance

All four components of the report were reviewed and discussed before any motions were made to approve the 2015 budget.

a. Approval of 2015 Draft Budget & Review of Draft 2016 Budget (Doc # EC 15-05-005)

Treasurer Ridley began by stating that the delay in the presentation of a 2015 budget for approval was to allow for more research. He discussed the various aspects of the draft budgets. He emphasized that the 2015 budget was being presented to Executive Council after review and recommendation by the Financial Committee.

The deficit that is stated in the 2015 budget is attributable to the costs of the CLA renewal initiative which consist of meetings, commissioned reports and the cost of staff and contractor terminations. These are extraordinary expenses that are outside normal association undertakings and will be covered by a transfer from CLA investments at the end of the fiscal year. He noted that the expenditures of other operations of the association were prudently managed with reductions in many areas. He noted that a section had been added in the budget for organizational renewal in order to ensure transparency.

The 2016 preliminary budget was created as an informational piece to give Executive Council a three-year window on the financial situation of the organization and to illustrate the continued process of trimming ~~and~~ expenditures while still accomplishing core association work.

b. Finance Committee Report (Doc # EC 15-05-006)

The Treasurer stated that the 2015 draft audit had been received and reviewed by the Finance Committee. There were still errors that needed to be cleaned up before it could be presented to approval. He reported that, overall, the audit was clean which shows that operations are moving along with efficiency. There was no management letter associated with it, which usually raises concerns identified by the auditor. Executive Council will have to review and approve the draft audit prior to presenting it to the membership at the AGM: the Treasurer proposed that the review and approval be done by email within the days following the Executive Council Meeting. All agreed.

ACTION: Treasurer Ridley to send the draft audit, along with a motion recommending the auditor for 2015, out to Executive Council once it is available.

Treasurer Ridley then provided an update on the status of the CLA's attempts to sublease the space at Morrison Drive. The Executive Director notified council that the previous offer to sublease had fallen through due to changing circumstances within their company however there was new interest which would likely result in a sub-tenant as early as July/August.

Councillor Jim Bennett asked at this time if CLA had Directors & Officers Liability Insurance. The Executive Director confirmed that CLA had \$2,000,000.00 in coverage.

c. Restricted Funds Strategy (Doc # EC 15-05-007)

The Treasurer introduced this section by providing a definition of restricted funds as this would later explain what function they could serve and would clarify why they exist. He explained that the accountant confirmed that these funds are restricted only in the sense that EC has identified their use for specific purposes and there was no legal or accounting reason for these to be restricted. Restricting them or unrestricting them was the prerogative of Executive Council.

Treasurer Ridley suggested that these funds could be used in a more general way and/or for the cost of winding up the organization if required. He reviewed his recommendations for the existing funds and proposed a motion. Executive Council thanked Treasurer Ridley for his thoughtful approach and clear presentation noting that it was a tremendous task.

MOTION 34-15: THAT CLA modify its restricted funds designations and uses. Specifically:

- 1) Maintain an appropriate balance to fund the awards and allocate the remainder to priority CLA expenditures: Scholarship Fund, Angela Thacker and Children's Book Awards / Young Adult Awards.***
- 2) Draw down on the following funds for priority CLA expenditures and then close the fund: Library Advocacy Now and Chancellor Group.***
- 3) Move the monies in the Bibliomodialis Fund to the Research & Education fund and expend these on the 8Rs project as previously approved by Executive Council; close fund.***
- 4) Expend the monies in the NELI Fund on future Institutes and close the fund; do not accept additional donations.***
- 5) Rename the Scholarship Fund the Awards and Scholarship Fund.***

Moved: Michael Ridley

Seconded: Jim Bennett

CARRIED

Unanimous

d. CLA Wind Up Strategy (Doc # EC 15-05-008)

Treasurer Ridley had provided a report detailing proposed CLA wind up costs and strategy for information. He stated that the numbers will change as long as the association still has the lease at Morrison Drive given the lease liability adjusts as rent is paid. He noted an additional potential liability related to RDA should it fail: CLA is a co-publisher and therefore takes on some of the liability.

MOTION 35-15: THAT the 2015 draft budget to be approved.

Moved: Michael Ridley Seconded: Sandra Singh

CARRIED

Unanimous

Executive Council members expressed their thanks and appreciation to Michael Ridley, Treasurer and the CLA staff at the office for all their work on the financial statements. All the work was very detailed and compiled together professionally.

8. Future of CLA Working Group Update

Vice-President Sandra Singh provided a brief summary of the Stakeholder Working Group meeting in April. The meeting, held at the OLA headquarters in Toronto, was enthusiastic and very productive. The Vice-President stated that the most noted concern was the financial model and the ability to contribute to the new CLA. She reported that there was a meeting scheduled for the morning of May 6, 2015 and again on May 9, 2015 to further discuss financial models for the new organization.

The next meeting after that will be of the larger Stakeholder Group in June 2015 in conjunction with CLA 2015. The focus of the group's discussion will be to review and finalize a second draft of the concept paper which will be presented to the broader community for feedback.

ACTION: Executive Council to review the notes from the April Working Group meeting before the Wednesday May 6, 2015 meeting and provide feedback to Sandra Singh so that EC can bring any comments or concerns to the Working Group meeting on Saturday May 9, 2015.

ACTION: Vice-President to send final copy of notes from the Stakeholder Working Group meeting after Saturday May 9, 2015 meeting.

ACTION: Executive Council to provide feedback on meeting notes to Executive Director, Treasurer and the Vice-President.

9. Executive Council Draft Schedule for CLA (Doc # EC 15-05-009)

The schedule provided was a rough draft prepared by the CLA office that will undergo further changes after EC reviews and discusses the details of the schedule. The President opened up the floor to EC to identify any corrections or additions. No one from Executive Council had been identified to attend the Network meetings on Wednesday June 3 as it competed with the Executive Council meeting.

ACTION: CLA Office to deliver the schedule for the June meeting so that the Executive Council has a final copy before conference.

10. Code of Conduct Task Force Update

Treasurer Michael Ridley, Chair of the Code of Conduct Task Force reported that the development of the draft Code of Conduct was going more slowly than anticipated and that there would be a draft provided the following week along with a request for Executive Council to provide feedback.

Treasurer Ridley feared that there would be no formally approved code of conduct created in time for implementation at the conference. He suggested that it might be ready for presentation as an interim or draft code instead and sought Executive Council's feedback on this.

The concern was ensuring sufficient time for the membership to review and provide feedback to CLA and that the current time frame may not allow for that. After some discussion on this matter EC agreed that, although not ideal, it would be best to provide an interim or draft code rather than presenting nothing if the Task Force was unable to finalize a document in time. It was suggested that Executive Council be prepared to address why the code of conduct was not ready in time for conference. Treasurer Ridley stated that Executive Council should assume that the document would be ready however he wanted to be prepared in case it was not.

ACTION: President and Treasurer to prepare a message to present to members as to why the code of conduct could not be finalized before conference 2015, assuming it is not ready.

11. Conference 2015

The Executive Director reported that early bird registration had come to a close; a reminder of this opportunity was sent out a few days before to the membership. In addition, she reported that sponsorship, exhibit sales and registrations were all down from 2014. She assured Executive Council that Ms. Clemensen was aggressively looking for funds continually. Executive Council discussed the situation.

The CLA Office had identified software that would allow for remote voting for all members at the AGM which will facilitate a quorum. This software will be tested extensively before the meeting takes place to ensure no errors occur.

12. Update from President

The President stated that this was her last teleconference meeting as President and the last official meeting in her role would be in June. Before that time there is a lot of work that still needs to be done and many reports to be completed. She confirmed that she did not receive any feedback from members on the recent announcement regarding the change in format of Feliciter, the CLA's magazine. It had been recently decided that CLA would discontinue publishing Feliciter in its current form and that a new blog-style magazine would be launched.

13. Update from Executive Director

The Executive Director attended several meetings in the month of May on behalf of the CLA. The Stakeholder Working Group on the Future of CLA met in Toronto at the end of April and the RDA Committee of Principles meeting was in Chicago at the end of the April. In addition her focus had been on conference and its related activities, the activity around the Futures work, and CLA finances.

At the RDA meeting work continued on a reworked governance model which is designed to internationalize RDA. This requires managing both timely translation and cultural differences. The Executive Director reported that the RDA initiative did not anticipate seeing revenues for the Co-Publishers until 2020. As per the agreement, revenues are redirected to the ALA until their initial

investment is paid off as they were the sole partner able to fund the initial development. Should RDA fail the CLA would be responsible for a portion of the unpaid ALA investment. It is not anticipated that the CLA will realize revenue from RDA until 2020.

14. Notice(s) of Motion

None were received.

15. Other Business

There was none.

16. Items Held/Proposed for Next EC Meeting

No other items.

17. Adjournment

MOTION 36-15: That the meeting be adjourned
Moved: Jim Bennett Seconded: Marie DeYoung
CARRIED
Unanimous

The meeting adjourned at 1:30 pm

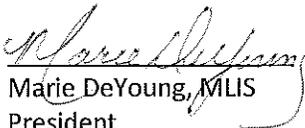
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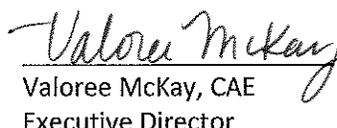


Agnieszka Arkuszewski
Executive Assistant

Date 17/08/2015

Approved:


Marie DeYoung, MLIS
President

Date Nov-19-15 
Valoree McKay, CAE
Executive Director

Date 17 aug 2015

Executive Council Feedback on the Amended Intellectual Freedom Position Statement

The new Statement showing edit highlight changes from the existing Statement:

All persons in Canada have the fundamental right, as embodied in the *nation's Bill of Rights and the Canadian Charter of Rights and Freedoms* [web link], to have access to all expressions of knowledge, opinion, creativity and intellectual activity, and to express their thoughts publicly. This right to intellectual freedom, under the constitution and the law, is essential to the health and development of Canadian society as the foundation for freedom of conscience, thought, belief, and informed citizenship.

Libraries have a core basic-responsibility for the development, maintenance and advancement of intellectual freedom.

It is the responsibility of libraries to safeguard ~~guarantee~~ and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire or provide access to the widest variety of information resources, in all forms, and shall resist labelling, r-ating and levelling systems that restrict access to these resources.

It is the responsibility of libraries to guarantee the right of free expression by making available without discrimination ~~at the library's public spaces and services to all individuals and groups who need them.~~

Intellectual freedom includes the right to ~~anonymity~~ in the pursuit of knowledge and intellectual activity. Libraries have a responsibility to safeguard information about the identity and activities of all users.

[The suggestion is that the word privacy might be more effective here as it is very difficult to ensure anonymity. Privacy is also something that is already defined in legislation.]

Libraries should resist all efforts, ~~applicable to them~~, to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups in accordance with established policies, procedures and due process.

[Clarification to be sought]

~~Both~~ employees, ~~volunteers~~, and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles. Public library boards, school boards, post-secondary governing boards, and libraries reporting to other governance entities have a ~~fiduciary~~ responsibility to uphold these principles by endorsing this Statement.

[Happy to see that volunteers are included.]

[Concern over the suggestion that libraries have "fiduciary responsibility to uphold" the principles within the Intellectual Freedom Position Statement. Did not feel that we could assert a fiduciary duty. This is a legal requirement and we have no authority as such. Suggested that this be tied to our ethics and values.]