

2023 ALA Executive Board Appointments FAQ

Background

On June 8, 2023, the ALA Executive Board shared with Council news of the [appointment of two ALA members to the ALA Executive Board](#) for a two-year term beginning at the end of Annual Conference in June 2023 and concluding at the end of Annual Conference in June 2025. Some ALA Councilors have questions about the process and precedent for making these appointments given that these seats were created under the new [ALA Bylaws](#) adopted in April 2023 and follow a different process from that used in making previous appointments to the ALA Executive Board under the old Bylaws.

This document has been prepared by the ALA Executive Board and is meant to be a precursor to a discussion at ALA Council I on Saturday, June 24th.

When did the board first begin discussing this issue?

The Executive Board first began discussing the new composition of the Executive Board during the Spring 2023 meeting on Friday, April 14, 2023. The issue was again discussed at the Executive Board's virtual meeting on May 16, 2023. The conversation also occurred via email between both the Spring 2023 board meeting and after the May 16, 2023, meeting. Because of the sensitive nature of the deliberations involving potential candidates by name, they were necessarily confidential and must remain so.

An update titled "[ALA Bylaws Implementation Progress and Next Steps](#)" was sent to ALA Council through ALA Connect on May 26, 2023. This update included information on the appointment of the Policy Manual Revision Working Group, ALA Council's re-sizing, and the plan for Executive Board appointments to be a two-year term to ensure future EB terms are properly staggered.

Where does the Executive Board derive its appointing authority from?

The authority for the Executive Board to fill vacancies by appointment is contained within the bylaws (see below). This is consistent with the authority held by the board under the old constitution (see below).

Old Constitution, Article VII, Section 2

A vacancy in the elected membership of the Executive Board, including a vacancy created by the election of a member to the office of president-elect or treasurer, shall be filled by Executive Board appointment, the person so appointed to serve **until the following annual election.**

Current Bylaws Article V, Section 5

Executive Board Vacancies. A vacancy in the elected membership of the Executive Board shall be filled by Executive Board appointment, and the person so appointed will serve **until the following election**. A vacancy in the office of the immediate past president shall be filled by a past president of the Association and appointed by the Executive Board.

What considerations went into the appointment selection process?

In consultation with the Director of ALA Governance and the ALA Parliamentarian, the board considered a number of options for the appointment selection process. Considerations included (but were not limited to)

- **Multiple models.** The board considered a number of models including (but not limited to) leaving the two positions vacant until the January 2024 election; appointing two members to serve until the January 2024 election; filling one vacancy immediately for a term of one year or two years and leaving the other position vacant, to be filled later; filling both vacancies for only one year; and filling both vacancies for two years.
- **Long-term effects on future elections.** Since these are two newly created seats, they are not part of the current election cycle. A two-year term was decided upon to avoid the uneven, staggered terms that would have resulted from filling the vacancy to align with the January 2024 election cycle. That is, waiting until the 2024 election cycle would have led to an uneven distribution of staggered terms in future elections, as follows:
 - 2024, five (5) board members to be elected;
 - 2025, two (2) board members to be elected;
 - 2026, three (3) board members to be elected; and
 - 2027, five (5) board members to be elected.

Making the appointments now, however, will lead to a more even distribution of staggered terms:

- 2024, three (3) board members to be elected;
- 2025, four (4) board members to be elected;
- 2026, three (3) board members to be elected; and
- 2027, three (3) board members to be elected.
- **When Council will vote on the new seats.** As stated above, a vote by Council in the regular election cycle would trigger an election for a “normal” 3-year term and not an abbreviated 2-year term. Given the goal of an even distribution of staggered terms going forward, the board voted to fill the seats by appointment for an abbreviated 2-year term in order to even out distribution of terms going forward. Council will vote to fill these seats as part of the regular election cycle in the future.
- **Skills, association experience, and knowledge.** Looking at the board as a comprehensive and collaborative whole, the board considered what skills, association experience, and knowledge would be desirable over the next two years that may not already be present in the currently elected members of the board.

Can Council overturn a vote of the Executive Board?

Council can only overturn actions that the bylaws specifically provide for. Currently there is no broad power that the Council has to overturn an Executive Board decision unless the Executive Board operates outside of its authority - specifically taking an action specified for the Council (such as creating a standing committee or policy).

How can I make changes to the bylaws?

Whenever amending the bylaws, great care and consideration has to be taken. The bylaws walk a fine line in separating authority between the two bodies (Executive Board and Council). The various adjustments made throughout the revision process have, as intended, positioned the Association and its governance to be more flexible and nimble going forward.

Councilors may put forth resolutions to amend the bylaws at any Council meeting under New Business. Consultation with the Bylaws Committee ahead of submitting the resolution to the Resolutions Committee is recommended to save the time of Council and so that the resolution does not need to be referred for review by the Bylaws Committee at a later date. Amendments to the bylaws as passed by Council are then placed on the spring ballot for ratification by the membership.

Members may refer matters to Council at a Membership meeting per Article II, Section 2 of the bylaws:

- A. The members of the Association, by a vote at a membership meeting, may refer any matter to the Council with recommendations and may require the Council to report on such matter at a meeting of the Association.
- B. Any question of policy may, by a majority vote of the Council, be submitted to the membership to be voted upon either at a membership meeting or as the Council may determine.