

**Society of American Archivists  
Council Meeting  
January 13, 2021  
Virtual Meeting**

*Agendas and background materials for SAA Council meetings are publicly available via the SAA website at: <http://www2.archivists.org/governance/reports>. Each Council meeting agenda comprises Consent Items, Action Items, Discussion Items, and Reports, and the number/letter in the minutes (e.g., II.A.) corresponds to an item listed on the agenda. The minutes summarize actions taken and the outcomes of discussions. Reports generally are not summarized in the minutes, but provide a wealth of information about the work of appointed and component groups and the staff. To view the reports—and all other background materials—see the SAA website.*

President Rachel Vagts called the meeting to order at 12:02 p.m. CT on Wednesday, January 13. Present were Vice President Courtney Chartier; Treasurer Amy Fitch; Executive Committee Member Melissa Gonzales; Council members Eric Chin, Stephen Curley, Petrina Jackson, Derek Mosley, Ricardo Punzalan, Mario Ramirez, Meg Tuomala, and Rachel Winston; and SAA Executive Director Nancy Beaumont, Publications Director Teresa Brinati, Finance/Administration Director Peter Carlson, Education Director Rana Hutchinson Salzmann, Information Systems Administrator Matt Black, and Governance Manager Felicia Owens.

## **I. COUNCIL BUSINESS**

### **A. Adoption of the Agenda**

Vagts introduced the agenda, noting that an executive session would be held at the end of the meeting. (Agenda items are presented in these minutes based on the original sequencing to minimize confusion.) Ramirez moved adoption of the agenda as revised, Punzalan seconded, and the agenda was adopted unanimously (**MOTION 1**).

### **B. Status of Council To Do List**

Council members briefly reviewed and provided updates on the status of actions listed in this internal working document.

## **II. CONSENT AGENDA**

The following items were adopted by consent (**MOTION 2**).

**Move Consent Items:** Mosley

**Second Consent Items:** Gonzales

**Vote:** PASSED (unanimous)

### A. Ratify Council Interim Actions

**THAT the following interim actions taken by the Council between November 2020 and January 2021 be ratified:**

- Approved the November 20, 2020, Council virtual meeting [minutes](#). (December 10, 2020)

### B. Ratify Executive Committee Interim Actions

**THAT the following interim actions taken by the Executive Committee between November 17 and January 5, 2021, be ratified:**

- Approved a document, prepared by the CoSA/NAGARA/RAAC/SAA Joint Working Group on Issues and Awareness, to be shared with the Biden Presidential Transition Team advocating for proper archives and records management practices. (November 17, 2020)
- Approved SAA support for the US Truth and Racial Healing and Transformative Movement team, a national initiative to “form a cohort of scholars, legislators and religious leaders seeking to address the historic injustice endured by African Americans.” The purpose of the initiative is “to properly acknowledge, memorialize, and be a catalyst for progress toward jettisoning the belief in a hierarchy of human value, embracing our common humanity, and permanently eliminating persistent racial inequities.” Dr. Ida E. Jones, SAA member and senior advisor to the team, requested SAA’s support. (December 17, 2020)
- Interviewed executive search firms to assist with recruitment of a new Executive Director and expect to have an announcement by the end of January. (Ongoing)

### C. Proposed Revisions of Procedures for Review and Approval of an SAA-Developed Standard

**THAT the revisions proposed by the Standards Committee to Section V.E., Ongoing Review of a Standard, in *Procedures for Review and Approval of an SAA-Developed Standard*, be approved. (See Appendix A, in which additions are underlined and deletions are struck through.)**

**Support Statement:** The revisions to Section V.E., Ongoing Review of a Standard, provide clear guidance when proposing both minor and major changes in SAA-developed standards, which will facilitate higher-quality maintenance of the standards.

**Impact on Strategic Priorities:** Approval of the proposed revisions will have direct impact on Goal 3 (Advancing the Field), particularly 3.1 and 3.3., as they will facilitate the continuing development, maintenance, and improvement of key SAA-developed standards. The revisions will also assist in achieving Goal 4 (Meeting Members’ Needs), particularly 4.1 and 4.4, because these updates are in direct response to requests from technical subcommittees and, if approved, will provide clearer and more transparent procedural guidelines that will allow for more timely responses to change requests.

**Fiscal Impact:** Fiscal impact is minimal, but this change in procedural documentation does require one hour of SAA staff time to update the webpage for the SAA Standards Committee’s *Procedures for Review and Approval of an SAA-Developed Standard*. Current standards approved for ongoing review are maintained digitally by the technical subcommittees, so no additional staff support will be required to keep the standards documentation updated with any approved major or minor changes.

#### **D. Issue Brief: Judiciary Records**

**THAT the issue brief on Judiciary Records prepared by the Committee on Public Policy be approved.**

### **Issue Brief: Judiciary Records**

#### **SAA POSITION**

The Supreme Court and federal judiciary has enormous influence over the American public. However, with no laws governing the disposition, preservation, and accessibility of the papers of Supreme Court justices and other federal judges, the public often cannot consult these archives for a fuller understanding of the federal courts. SAA supports the enactment of legislation to address these gaps in the management of federal judges’ papers.

#### **BACKGROUND**

The National Archives and Records Administration (NARA) is responsible for the [official institutional records](#) of the U.S. Courts. Despite the increasing attention to the federal judiciary in recent decades, there are no laws governing the disposition, preservation, and accessibility of the papers of Supreme Court justices and other federal judges. The lack of consistent transfer practices among judges and justices, and the absence of a law like the Presidential Records Act, has led to uneven public access to the archival records of some of our country’s most powerful public servants.

This lack of consistent practice or uniform laws has led to varying terminology in describing the work-related documentation produced by individual judges: working papers, chambers papers, chamber files, and judicial records. For the purposes of this issue brief, the term “judges’ papers” is used, but with the recognition that this simply describes the current legal reality and is not an endorsement of the current private ownership status of this material.

A “docket” is the summary of all activity in a court case. Dockets are arranged chronologically and list the pleadings, motions, orders, and other documents filed in a specific legal matter. Collectively, those filings are commonly referred to as “court documents.” Court documents and dockets are maintained and preserved as official records by the judicial system. In addition to these records, judges create correspondence, notes and marginalia, draft opinions, internal memos between a judge and his or her clerks or colleagues, and other unofficial writings. These documents currently are not included as part of any official government record or proceeding, but they contain essential evidence and insight into the evolution of decisions that can’t be seen through dockets alone.

The Federal Judicial Center (FJC) actively encourages federal judges to develop a plan for preserving their papers by communicating the value such documents have to researchers, historians, and the public. While

acknowledging that judges' papers currently are considered private property and that there is no requirement that federal judges preserve their papers, FJC provides support and guidance for those who wish to do so. [A Guide to the Preservation of Federal Judges' Papers](#) (3<sup>rd</sup> edition) is meant to assist federal judges with making disposition decisions about their papers. The Guide identifies categories of judges' papers of greatest historical value and includes practical advice for organizing and preparing papers for donation, selecting a repository, and considerations when deciding on an access policy. The FJC refers to these materials as "chambers papers," the primary focus of the guide and this brief. (A judge's papers may also include non-court-related personal papers from other parts of their life and/or career).

In 1974, President Gerald Ford signed the [Presidential Recordings Preservation Act](#), which required the preservation of [President Nixon's presidential records](#) and established the National Study Commission on Records and Documents of Federal Officials, a national committee to "study problems and questions with respect to the control, disposition, and preservation of records and documents produced by or on behalf of Federal officials." In 1977 the Committee issued its [final report](#), which was [considered](#) in the passage of the [Presidential Records Act in 1978](#). The 1977 Committee Report addressed the "public papers" of the President, Vice President, members of Congress, and members of the federal judiciary. The report recommended that the President and Vice President transfer their papers to the National Archives immediately at the end of service, but that elected representatives and judges should be able to choose their own depository. Although the Presidential Records Act institutionalized many of the Commission's recommendations regarding the records of the President and Vice President and created the paradigm shift that legally transformed the President's private papers into public records, the United States lacks similar legislation concerning the status of records of members of Congress and federal judges.

Controversy about the opening of Associate Justice Thurgood Marshall's papers within months of his death led to the 1993 Senate hearing on "[Public papers of Supreme Court justices: assuring preservation and access](#)" before the Subcommittee on Regulation and Government Information of the Committee on Governmental Affairs. Beyond what had already been addressed in the 1977 Public Documents Commission report, one new point raised was the emergence of electronic records and the need to address them. No actions resulted from the hearing.

The status of judges' papers has received limited attention from academic researchers. In recent years, most of this scholarship has taken place within law reviews (i.e., legal journals). In [2013, Kathryn Watts](#), a law professor and former clerk for Justice John Paul Stevens, wrote a comprehensive legal article reviewing the private property status of judges' papers and issues associated with the current "ad hoc approach," and calling for legislation to create public ownership of judges' papers. Criticizing Watts's argument, Justin Walker, law professor and former clerk for Justice Anthony Kennedy, [and Caroline Phelps \(2017\)](#) questioned whether Congress has standing to legislate the work of the judiciary and argued for the role of continued judicial secrecy. [Wayne Kalkwarf \(2018\)](#) questioned the feasibility of Watts's argument by reviewing his own experience in disposing of the papers of judges at lower levels of the federal judiciary, and considered several hypothetical challenges to a uniform approach to judges' papers. Finally, law librarian [Susan David deMaine \(2018\)](#) reviewed the current restrictions on existing judicial collections, findings that reinforce Watts's argument that a lack of applicable legislation results in significant *ad hoc* approaches. deMaine recommended an intriguing and novel solution: Congressional appropriation of money (for processing purposes) to a repository receiving a donation of judges' papers. Under deMaine's proposal, more money would be available if judges agreed to shorter periods of access restrictions on their papers.

## **THE ISSUES**

### ***The law lags behind archival ethics***

When it comes to documenting the Supreme Court, the lack of recordkeeping laws applicable to federal judges hinders archivists charged with preserving judge's papers according to our [professional values and ethics](#) related to transparency and access. The most prominent federal recordkeeping laws are the [Federal Records Act](#) (which excludes Congress and the Supreme Court) and the [Presidential Records Act](#) (which covers only the Executive Office). The level of public availability of information pertaining to the operation of any one branch of government should not be privileged over another; this is counter to the idea of equal branches of government. Just as the Executive branch is regulated by the Presidential Records Act, the Judiciary should be regulated by a similar law that specifies and standardizes the preservation and accessibility expectations for judicial records.

In addition, archival practice and law employ differing definitions of "record." In archival practice, we generally define correspondence, notes and marginalia, draft opinions, internal memos between a judge and the judge's clerks or colleagues, and other unofficial writings as records. In this context, such materials would be considered by most archivists to be the records of the judicial branch. But as Watts notes (p. 1669), legal status and precedent has treated them as if they were what archivists would define as "papers": personal property that may be disposed of or transferred at the discretion of the individual. It is important to reconcile this gap in understanding between professions. One ideal step would be to see the law's definition of "record" more closely match that of the archives profession's to enable and clarify archivists' legal rights and the rights of our users.

### ***Inconsistency of donation and processing practices***

Donation practices for judges' papers, especially Supreme Court justices, are not well-documented or understood. Because donor agreements are developed on an *ad hoc* basis, types and lengths of restrictions on access to the public vary significantly despite the material having similar content and purpose. In addition, although some justices have created and kept electronic records in the form of email, word processing documents, and other common business tools, there is no confirmation that any justice to date has authorized the transfer of electronic records to a repository.

Processing practices for these materials, which have unique considerations regarding restrictions and access, also are not well-documented or understood. Thus the archival handling of these papers for preservation is inconsistent. In the current environment, the burden to collect and provide access to these papers is too great for one non-governmental institution to address. The burden should not be on singular institutions to build and rebuild these workflows in silos. Backed up by legal requirements, the establishment of consistent collecting, processing, and access practices would make future U.S. Supreme Court collections more accessible to the public.

### ***Inconsistency of access***

Because of the absence of mandates regarding judges' papers, access to these papers—even when they are transferred to a repository—is inconsistent and often exclusionary. Through the 1930s, papers were donated (usually without restrictions) long after a justice's death, and large portions of collections often were lost or destroyed prior to transfer to a repository. In the latter half of the 20th century, it was common practice to restrict access to "legitimate scholars," with material subject to review by an agent dedicated to protecting the reputation of the justice—often the justice's family or a special board. In the early 1990s, donors of justices' papers began to add complex and specific access provisions. deMaine's research found that access restrictions lengthened following the opening of Justice Thurgood Marshall's papers (p. 191). The donors of these collections often negotiate a variety of approaches to access restrictions, such as opening material on a rolling basis or by permission, or applying blanket time restrictions. These different types of

restrictions may even overlap depending on the nature of the material, causing a host of complications for archivists and researchers.

### ***Lack of transparency***

The issue of privacy is often raised as a defense for the current practice of treating judges' papers as private property. However, there is [little substantive evidence](#) that continuing to treat judges' papers in this manner contributes to the larger public interest.

All people in the United States, as they are subjected to the laws and decisions of the federal government, should have access to records created by all three branches. Given the rising political polarization around the makeup of the federal courts, this transparency is more essential than ever. The United States Supreme Court is the country's highest judicial power, yet it enjoys a disproportionate lack of transparency into how its decisions are made.

Nominees to the Supreme Court often come up through the federal judiciary system, in which they have served as lower-court judges and clerks. The absence of mandates regarding federal judges' papers means that, during the confirmation process, the Senate and interested members of the public do not have access to information about the inner workings of the nominee's approach to judicial interpretation—unless the nominee served in a capacity with mandated preservation of records or had records donated as part of another person's collection.

A rare example of the first case was the 2018 confirmation of Justice Brett Kavanaugh. Kavanaugh's previous role within the White House Counsel's office in the Bush administration subjected his records to scrutiny through NARA-mediated [FOIA requests](#). Had he not served in the Executive branch and been covered by the Presidential Records Act, his recent record would not have been known. Nominees who come up solely through the federal judiciary may have their previous legal work come to light only if their work is part of a donated collection from another justice who imposed few access restrictions. This was the case with Justice Elena Kagan's [legal memorandums](#) produced when she clerked for Justice Thurgood Marshall, whose papers were opened by the Library of Congress in 1993.

### ***Lack of power to adhere to values and ethics***

Archives and special collections preserve historic material from people and groups in vastly varying levels of institutional and community power, from high school students to Supreme Court justices. Although it is part of the archivist's job to learn to navigate one's own positionality while developing and moving through these relationships, the archivist or curator is in an inherently compromised position when negotiating with interests as powerful as the Supreme Court. Donations of these materials often involve more layers of institutional administration than is typical for archival collection donations, adding many complicated conflicts of interest and power that far outweigh the interests and power of the archivist who will be affected by the donation and responsible for carrying out the donor's wishes. Archivists need a stronger federal law to regulate federal judiciary materials so that they are not subjected to power differentials that leave them with choices that may violate our profession's values and ethics.

## **RECOMMENDATIONS**

The most effective way to create a desirable consistency regarding the disposition, preservation, and accessibility of the entire archival record of the judiciary would be to enact legislation to address gaps in the management of federal judges' papers. Many of the recommendations of the 1977 report are still worth considering. Effectively, a judicial version of the Presidential Records Act should be passed.



To ensure the greatest public access, consideration should be given to centralizing responsibility for these records under NARA, the Library of Congress, or a government-funded consortium of authorized repositories to preserve judges' papers.

If such a consortium of authorized repositories is funded, inclusion of academic and public libraries with archives, historical societies, or museums with a history of transparency and effectiveness in serving records to the public would allow judges some of the current discretion in choosing an appropriate destination for their materials while also ensuring that the repository is held to the same standards as others caring for such records. Trust in consortium membership could be bolstered by creation of an oversight board—comprising archivists and members of the public—to approve institutional membership.

In the absence of federal legislation to resolve this issue, [A Guide to the Preservation of Federal Judges' Papers](#) should be considered the standard best practices document and should be updated periodically by a joint group comprising archivists and members of the public.

## **ADDITIONAL RESOURCES**

United States Courts records disposition schedules for the United States [courts of appeals](#) and [district courts](#).

NARA [record groups](#) for judicial records.

A [list of repositories](#) that currently hold judges' papers.

Federal Judicial Center: [A Guide to the Preservation of Federal Judges' Papers](#) (3rd edition).

[Article](#) ([open access link](#)): deMaine, S.D. (2018). Access to the Justices' Papers: A Better Balance. *Law Library Journal*, 110, 185.

[Article](#): Kalkwarf, W.A. (2017). What Shall We Do with Federal Judges' Papers after They Retire? *University of Toledo Law Review*, 49, 265.

[Article](#) ([open access link](#)): Walker, J., and Phelps, C. (2016). Chilled Chambers: Constitutional Implications of Requiring Federal Judges to Disclose Their Papers Upon Retirement. *University of Memphis Law Review*, 47, 1169.

[Article](#) ([open access link](#)): Watts, K.A. (2013). Judges and Their Papers. *New York University Law Review*, 88, 1665.

### **Contributors to this issue brief:**

- Krista Ferrante, MITRE Corporation (Committee on Public Policy member)
- Irene Gates, Project Archivist, Justice Antonin Scalia Judicial Papers, Harvard Law School Library (2018-2020), Massachusetts Historical Records Advisory Board (August 2020 – present)
- Ed Moloy, Curator of Modern Manuscripts, Harvard Law School Library
- Jessica Farrell, Educopia Institute (Committee on Public Policy member)
- Eira Tansey, University of Cincinnati (Committee on Public Policy member)

- Michelle Trumbo, Executive Director, Legal Information Preservation Alliance, George Mason University

**Support Statement:** This issue brief supports SAA’s Public Policy Agenda by providing members and other prospective audiences with SAA’s considered opinion on the topic of the appropriate management of federal judiciary records.

**Impact on Strategic Priorities:** Addresses Goal 1: Advocating for Archives and Archivists, Strategy 1.1. Provide leadership in promoting the value of archives and archivists to institutions, communities, and society, 1.2. Educate and influence decision makers about the importance of archives and archivists, and 1.3. Provide leadership in ensuring the completeness, diversity, and accessibility of the historical record.

**Fiscal Impact:** Approval of the issue brief does not commit SAA to expend funds on any particular advocacy effort at this time.

### III. STRATEGIC PLANNING

The following document was provided for reference:

A. [Current Strategic Plan 2020-2022](#)

B. **Current Strategic Plan Dashboard**

Updates reflecting the Council’s ongoing discussion of the dashboard are in progress and will be shared via Council list for further online discussion in January 2021.

### IV. ACTION ITEMS

A. [Appoint Members to Committee on the Selection of SAA Fellows](#)

Each year the Council elects three individuals to serve on the Committee on the Selection of SAA Fellows. The Committee comprises the five most recent past presidents of the Society and three Fellows who are elected by the Council. The Council reviewed the list of eligible Fellows and put forward three nominees and two alternates. Following the meeting, Beaumont contacted the selected nominees to confirm their consent to serve.

#### **MOTION 3**

**THAT Jeanette Bastian, Brenda Gunn, and Tom Hyry be selected to serve on the 2021 Committee on the Selection of SAA Fellows.**

**Move:** Chin

**Second:** Punzalan

**Vote:** PASSED



**Support Statement:** Bastian, Gunn, and Hyry are well qualified to serve in this important capacity.

**Fiscal Impact:** None.

**B. Guidelines for Diversity Statement Accompanying Applications for Certain SAA Positions**

Punzalan introduced guidelines for preparation of a diversity statement that, per a November 2020 Council discussion, would be required of all those seeking elected positions (President, Vice President/President-Elect, Treasurer, Council member, Nominating Committee member) as well as the appointed positions of *American Archivist* Editor, Publications Editor, and Executive Director. The Council reviewed and agreed to the proposed guidelines. Staff will add the Diversity Statement Guidelines to Appendix A of the SAA Governance Manual and reference where appropriate.

**MOTION 4**

**THAT the proposed Diversity Statement Guidelines be approved.**

**Diversity Statement Guidelines**

**1. General Guidelines**

- a. A diversity statement: reflects on how one’s identity and experience contribute to diversity; demonstrates awareness of diversity, equity, and inclusion (DEI) issues and how to frame and approach them; and identifies specific DEI strategies relevant to the position they seek. It is highly recommended that the Diversity Statement incorporates answers, but are not limited, to the following questions:
  - What is your own definition of diversity, equity, and inclusion?
  - How have your own personal, academic, and professional experiences and expertise prepared you to advocate for inclusive, equitable practices?
  - Are you aware of your own implicit biases? How have you come to this realization and how do you continue to grow as an advocate for DEI?
  - How do you reflect DEI in your work? How will you model a trauma-informed and inclusive practice, and mentor others who will work with you?
  - What are your specific plans and strategies for using the position you are applying for to advance DEI within your SAA unit, SAA as a whole, and beyond the organization?
- b. The Diversity Statement should refer to existing SAA statements and policies, such as Core Values of Archivists, Code of Ethics for Archivists, Code of Conduct, Equal Opportunity/Non-Discrimination Policy, SAA Statement on Diversity, Equity, and Inclusion, and Strategic Plan 2020-2022 (or most recent Strategic Plan).

**2. Position-Specific Guidelines**

- a. Those **individuals who are elected** by the membership to serve, such as President, Vice President/President-Elect, Council members, and Nominating Committee members, are required

to include a 400-word (maximum) Diversity Statement as part of the Candidate Statement. The Diversity Statement must be distinct and separate from the candidate's Biographical Statement and Response to Question Posed by the Nominating Committee. The Diversity Statement should be made available to all voting members of the Society.

- b. Those applying for **Council-appointed positions** (such as Executive Director, *American Archivist* Editor, and Publications Editor) are required to submit an 800- to 1,000-word Diversity Statement as part of their application materials. The Diversity Statements of the candidates for these positions are available to those involved in the hiring or appointment decisions, subject to confidentiality and privacy considerations. The Executive Director may require diversity statements for applicants to other staff positions, as appropriate.

**Move:** Chartier

**Second:** Gonzales

**Vote:** PASSED

**Support Statement:** Requiring a diversity statement as part of the application process for elected positions and certain appointed positions (Executive Director, *American Archivist* Editor, and Publications Editor) helps SAA, its leaders, and its members to elect or appoint candidates who are best positioned to promote diversity, equity, and inclusion in SAA, the profession, and beyond. It also encourages candidates and applicants to articulate the diversity they bring to their respective positions.

**Strategic Priorities:** The Guidelines support all aspects of SAA's Strategic Plan related to ensuring diversity, equity, and inclusion within and beyond the organization.

**Fiscal Impact:** None.

### **C. Other Action Items from Council Members**

No additional action items were brought forward.

## **V. DISCUSSION ITEMS**

### **A. [SAA Membership Dues Structure](#)**

Fitch introduced and the Council discussed at length several scenarios, developed by the Finance Committee, for alternative membership dues structures and schedules. The Finance Committee will continue to refine its proposals based on the Council's input, with a goal of proposing a new dues schedule for member vote in the fall of 2021.

### **B. 2021 Council Listening Sessions**

The Council identified various topics for all-member listening sessions in the coming months, including the membership dues proposal, executive director search, A\*CENSUS II project, and more. Vagts will continue the discussion on the Council email list to schedule these listening sessions.

### C. Other Discussion Items from Council Members

No further discussion items were brought forward.

### D. Executive Session (Council Members Only)

The Council briefly convened in executive session at the close of the meeting and remained in executive session until the Council meeting was adjourned.

### **MOTION 5**

**THAT the Council move into Executive Session, excusing all staff.**

**Move:** Ramirez

**Second:** Chartier

**Vote:** PASSED (unanimous)

## V. REPORTS

*Reports are discussed by the Council only as needed and generally are not summarized in the minutes (with the exception of the Executive Committee report, which details interim actions of the Executive Committee). They do, however, provide a wealth of information about the work of appointed and component groups and the staff. To view the reports—and all other background materials—see <http://www2.archivists.org/governance/reports>.*

The Council reviewed, but did not discuss, the following reports:

- A. [President](#)
- B. [Vice President/President-Elect](#)
- C. [Treasurer](#)
- D. [American Archivist Editor](#)

The Council reviewed the questions brought forward in the report. Ramirez will connect with Journal Editor Amy Cooper Cary to schedule a meeting with the full Council soon.

### E. Other Reports from Council Members/What Are You Hearing from Members?

Chartier shared a request from the International Coalition of Library Consortia (ICOLC) for feedback on and potential endorsement for a draft report about the relationship between OCLC and libraries. Chartier will continue the discussion on the Council email list to consider an individual to represent SAA among this group of allied professional organizations.

Beaumont confirmed that SAA has a fully executed agreement with the Odum Institute to host the SAA Dataverse. The SAA Committee on Research, Data, and Assessment will be working on next steps, including various education tools to introduce and train members to best utilize this tool.

## **I. COUNCIL BUSINESS (continued)**

### **A. Review of January 2021 To Do List / Talking Points**

Council members reviewed the draft list of action items stemming from the meeting.

### **B. Adjournment**

Tuomala moved adjournment, Chin seconded, and the Council meeting was adjourned by unanimous consent at 2:55 p.m. on Wednesday, January 13.

## Proposed Revisions in Section V.E., Ongoing Review of the Standard

**NOTE:** The proposed changes to the Standards Committee's *Procedures for Review and Approval of an SAA-Developed Standard*, which were made to distinguish workflows for major vs. minor changes, affect only section V.E. of the procedures, listed below. To access the full procedures: <https://www2.archivists.org/governance/handbook/section7/groups/Standards/Procedures-Review-Approval-SAA-Developed-Standard>

[Additions are underlined; deletions are struck through.]

### *V.E. Ongoing review of the standard.*

Proposed revisions to a standard approved for ongoing review are reviewed and addressed as they are received by the assigned technical subcommittee. Ongoing review is particularly conducive to standards that are published electronically and thus are easy to update. Major or minor proposed changes can be submitted at any time. In order to respond adequately and in a timely manner to proposals for change, the following actions should be taken.

#### V.E.1. Proposal for changes received.

Proposals may be submitted by SAA component groups (i.e., sections, ~~roundtables~~, committees, task forces, or working groups), by interested external organizations (e.g., the Rare Books and Manuscripts Section), or by individuals, or may be generated by the technical subcommittee itself. Proposals should include the following elements:

- Name of the individual or sponsoring group;
- Identification of the component of the standard to be changed;
- Brief description of the proposed change, and justification;
- ~~Expected effect/impact on individuals, institutions, and supporting systems;~~
- ~~Known related standards affected by the proposed change.~~

All proposals should be submitted to the ~~chair of the~~ technical subcommittee responsible for the maintenance of the standard.

#### V.E.2. Technical subcommittee reviews proposals.

Upon receiving a proposal, ~~the chair of the~~ technical subcommittee responsible shall:

- Conduct a preliminary review of the proposed change request ~~the document~~ to ensure that it is complete. Incomplete proposals will be returned to the submitting body. If there are no missing elements ~~problems to the documentation with the document~~, the technical subcommittee chair will acknowledge receipt to the proposer ~~processing body~~.

- Evaluate if the proposed change should be considered a major or minor change.<sup>1</sup>
  - A **minor change** is one that does not affect the application or interpretation of the standard and would not result in a user’s current application of the standard being non-compliant.

Examples may include:

    - Updating links in an appendix or standard
    - Updating crosswalks based on changes to adjacent/companion standards
    - Making typographical or grammatical corrections
    - Bug fixes
    - Patches
    - Making suggestions for use/providing use case examples
  - A **major change**<sup>2</sup> is one significant enough that it needs or would benefit from community and expert feedback. A general rule of thumb is that the change alters the application or interpretation of the standard either to the point of making the previously compliant use of the standard suddenly non-compliant or significantly altering the way in which the standard is implemented or taught.

Examples may include:

    - Adding a new element (required or optional)
    - Deleting a required element
    - Making significant alterations to how an element is used (going from required to optional or optional to required) or how an element is defined to the point at which it would affect practical use
    - Creating a new appendix
    - Significant revision to preambles, principles, appendices
- Distribute copies of the proposal to the other members of the technical subcommittee for their review and comment.
- Determine the extent to which the proposal should be distributed for public comment.
- Identify and add to the proposal:
  - Expected effect/impact on individuals, institutions, and supporting systems;
  - Known related standards affected by the proposed change.

### V.E.3. Consultation with other SAA subgroups and external organizations.

For proposals classified as major changes, external groups, particularly those directly affected by a proposal, must be consulted during the review process. This should include informing the

---

<sup>1</sup> These definitions were inspired by Semantic Versioning, but do not completely align with the versioning guidelines put forth by it.

<sup>2</sup> In this context, a major change is a single significant change to the standard. This is distinct from a major revision, which is a revision to the standard as a whole or several major changes. Major revision requires utilizing the cyclical revision procedures (see V.E.7 for major revisions to continuous revision standards).



Standards Committee co-chairs of the proposal submission. Consultation should be pursued through several means, which may include:

- Publication of the proposal on the technical subcommittee's SAA microsite.
- Letters sent to heads of organizations or organizations, or to individuals, inside and outside of SAA, known to have an interest in the standard under revision, inviting their comments on a particular proposal.
- Publication of notices about the proposed changes in the newsletters or on the websites of these organizations.
- Publication of the proposal in appropriate SAA media.
- Publication of the proposal in external publications.
- Joint meetings with interested organizations to discuss the proposal.
- Open forums or hearings at the SAA Annual Meeting.

For proposals classified as minor changes, consultation with external groups is optional.

#### V.E.4. Recommendation to revise the standard.

Based on comments received from the community, the technical subcommittee may either reject the proposal or develop a recommendation for changes ~~revisions~~ to the standard. The draft changes ~~revisions~~ may be based on both the original proposal and amendments developed during the review process. Change ~~Revisions~~ proposals should document changes in the standard in relation to the current text. Significant changes in the initial proposal by the technical subcommittee may require an additional period of consultation. The review and consultation process should be completed within six months of the submission of a proposal.

For major changes, once the draft changes have been finalized, the proposal packet should be forwarded to the Standards Committee together with documentation of the submission and consultation process. For minor changes, complete and submit to the Standards Committee the Minor Changes Form. ~~Once the draft revisions have been finalized, it should be forwarded to the Standards Committee together with documentation of the submission and consultation process.~~

#### V.E.5. Standards Committee review of recommended changes.

For proposals submitted as major changes, ~~T~~the Standards Committee will review the package to ensure that it is complete and that adequate consultation and review have taken place. It may return the package to the development and review team if significant elements are missing.

For proposals submitted as minor changes, the Standards Committee will review the package to ensure it is complete and meets the qualifications for a minor change. It may return the package to the development and review team if significant elements are missing or if it identifies the change as constituting a major change, in which case the technical subcommittee must follow procedures for revising a major change.

The SAA Council authorizes the Standards Committee to accept minor changes to official standards of the Society of American Archivists. Decisions must be reported in a timely manner to the SAA Council, which reserves the right to roll back the change.

V.E.6. Recommendation to the SAA Council.

For proposed major changes, ~~The~~ Standards Committee will send to the SAA Council a report on the process and a recommendation. This may be either a recommendation to consider implementation of the draft changes ~~revisions~~, or a recommendation against adoption. The decision to accept major changes to official standards of the Society of American Archivists may be made only by the SAA Council.

When the draft changes ~~revisions~~ documentation is deemed complete, the Standards Committee will publish a notice in the appropriate SAA media announcing that the draft changes have ~~revisions has~~ been forwarded to the Council.

V.E.6. Promulgation of revised standard.

If a major draft change ~~revisions~~ is accepted by the SAA Council, or a minor change is accepted by the Standards Committee, the Standards Committee will publish a notice of the approval of the changes in the appropriate SAA media.

V.E.7. Major revisions or rescinding the standard.

In addition to managing proposals for revision, the technical subcommittee may also determine that the standard is no longer relevant or has been superseded, and may recommend that the standard be considered for major revisions or rescinded. The guidelines for cyclical review should be followed in developing such recommendations (see section V.D.). The SAA Council may also establish a deadline for reviewing the applicability and maintenance of standards at its discretion.

## Minor Change Request Form

Technical Subcommittees with standards approved for ongoing review may submit minor changes to those standards to the Standards Committee for review and approval. Please complete and submit this form to the Standards Committee chairs. The chairs will review the form to ensure that it is complete and meets the qualifications for a minor change, and will then take a vote of the Standards Committee.

A **minor change** is one that does not affect the application or interpretation of the standard and would not result in a user's current application of the standard being non-compliant. Examples may include:

- Updating links in an appendix or standard
- Updating crosswalks based on changes to adjacent/companion standards
- Making grammatical corrections
- Bug fixes
- Patches
- Making suggestions for use/providing use case examples

---

**Standard:**

**Date submitted:**

**Primary contact person:**

**Is this high priority?<sup>1</sup>**

**Component of the standard to be changed (including the rule or designation used by the standard and the name or title):**

**Brief description of the proposed change and justification for it--or include a link to the issue<sup>2</sup>:**

**Expected effect/impact on (if applicable, as not all changes will affect all areas):**

- **Individuals**
- **Institutions**
- **Supporting systems**
- **Publications**
- **Education**

**Known related standard(s) (SAA and external) affected by the proposed change:**

---

<sup>1</sup> High priority is a change that affects the functionality and requires immediate approval, such as a patch or bug fix.

<sup>2</sup> Information via link should cover the remaining questions on form: description, justification and, as applicable, expected effects/impacts and known related standards affected by the proposed change.