

Council Minutes

January 28, 2000

Omni Shoreham Hotel, Washington, D.C.

President H. Thomas Hickerson called the meeting to order at 2:06 p.m. Present was Vice President Lee Stout, Treasurer Robert Sink, and Council members Fynnette Eaton, Mark Greene, Becky Haglund-Tousey, Dennis Harrison, Jane Kenamore, Richard Pearce-Moses and Wilda Logan Willis. Karen Jefferson and Helen Tibbo were not able to attend due to work and weather related emergencies. Also present was Executive Director Susan Fox and Meetings Director Debra Nolan.

ADOPTION OF THE AGENDA

Harrison moved and Greene seconded adoption of the agenda as amended. PASSED.

APPROVAL OF THE MINUTES

Harrison moved and Stout seconded approval of the August 23 and August 28, 1999 minutes as amended. PASSED.

REPORT OF THE EXECUTIVE COMMITTEE

In Jefferson's absence, Hickerson reported on Council's action via listserv to: join as signatory to an Association of American Museums letter to Sen. Jesse Helms as Chair of the Committee on Foreign Relations urging ratification of the 1954 Hague Convention on the Protection of Cultural Property in the Event of Armed Conflict; join as signatory to a Digital Future Coalition letter to Rep. Richard Arney urging further debate be allowed on H.R. 354 "The Collections of Information Antipiracy Act"; decline an invitation to join with the American Historical Association in its opposition to S. 1801, the Public Interest Declassification Act of 1999. The Executive Committee also approved an October 1, 1999 submission of a grant requesting support for meetings of the EAD Working Group.

REPORT OF THE PRESIDENT

Hickerson reported on the status of two SAA fundraising efforts, one targeted specifically at SAA Fellows and another general membership appeal. He said the Fellows solicitation received a remarkable response, generating over \$5,000 in individual gifts. He thanked Wilda Willis and Fynnette Eaton for their work in moving the Fellows fundraising process along. The general membership mailing went out in late December, so it was still too early to report results. He suspected that the member response will reveal itself throughout the year as many members include donations with their dues renewals.

SAA Representative to NHPRC

Hickerson reported that one of his responsibilities as President is to appoint an SAA representative to the National Historical Publications and Records Commission (NHPRC). The representative normally serves a three-year term. Anne Kenney had held that position for the previous term and she served SAA well in her role, evidenced by her election to chair of the NHPRC Executive Committee. The NHPRC Executive Director, Anne Newhall, approached Hickerson about the possibility of renewing Kenney's appointment. Newhall said Kenney served the Commission particularly well. Initially Hickerson declined Newhall's request because he believed as a standard policy SAA should hesitate in keeping any appointee in any one position for any length of time. However, several members of the Commission contacted him, and all proposed that he extend Kenney's appointment for one year. They said the NHPRC needed the continuity following a particularly difficult period in which the Commission debated and renewed its strategic plan. Kenney's leadership during that process proved an invaluable vehicle in building rapport across constituencies.

Hickerson discussed the issue with SAA's Executive Committee, with a proposal that SAA extend Kenney's appointment by one year, appoint a new SAA representative to the Commission for the three years following, and have the representative receive all Commission mailings during the year of overlap. With the approval of the Executive Committee, Hickerson agreed to the arrangement and asked Fynnette Eaton to serve a two-year term. Both Kenney and Eaton accepted the arrangement. The Organization of American Historians (OAH) will employ the same process in order to keep the current NHPRC Executive Committee in place.

National Coordinating Committee for the Promotion of History

With Page Putnam Miller retiring as NCC Executive Director as of August 2000, the Executive Committee appointed Bill Maher to serve as SAA representative in the NCC search process. The search committee identified an historian as a leading candidate,

however the terms of appointment were still under negotiation. More information would follow at the conclusion of those negotiations.

Archivist of the United States

John Carlin joined the meeting, and apologized for the fact that, due to pressing deadlines, Deputy Archivist Lewis Bellardo would be unable to join him.

Carlin discussed progress with the NARA strategic plan, successful efforts to secure additional resources for targeted assistance in helping federal agencies implement records management at the desktop level, his optimism about finding a cooperative agreement to develop an archives and records management complex in Atlanta, the renovation of Archives I, and staff and infrastructure improvements.

Hickerson began the question and answer session with a query regarding NARA's cost reimbursement program. He asked Carlin to explain it and where it stood in implementation.

Carlin said that three years ago the Office of Management and Budget (OMB) decided that NARA should institute a reimbursable records program. The agency went fully reimbursable on October 1, 1999. He said NARA had to compete with the private sector and the reimbursable program helped with cost recovery.

Bob Sink asked about the status of funding for NHPRC. He said he was concerned because of past Commission debates between those who supported documentary editions and those who saw the need for additional funding to support electronic records projects. One solution to the problem would be to grow the pie in order to support both sets of projects.

Carlin said the Commission already had a slightly larger pie than before, its budget was now at \$6 million instead of \$4.5-5 million, a base from which to build for the future. The NHPRC electronic records projects complement NARA's work in other areas, especially with the San Diego Supercomputer partnership. He said he believed NARA now had a chance to deal with the big electronic records issues, especially the challenge of taking in and preserving huge volumes of electronic records and providing access to them further down the road.

He said he had not yet asked for additional funding because NHPRC was not receiving a sufficient number of competitive proposals. Once the need was demonstrated he would go to OMB for additional funding.

Hickerson inquired about the census records disposition guidelines and their status.

Carlin said the guidelines were still in process and that there was an appraisal report out for comment on the NARA website.

Harrison asked about the evolving requirements for hiring archivists at NARA and if there was any further progress in that area.

Carlin said that there were some changes, but not in the sense of a total picture or plan. It was a priority, but not currently in the top tier due to competing demands. He was aware of the need to address the issue but it was doubtful to occur in the current year.

Stout asked about Carlin's vision for an electronic records policy in light of the GRS20 history.

Carlin said that it was important that the electronic records issue not be forced by deadlines and plans. It needed become more policy rather than process driven. Rather than force agencies to go through a change which may or may not be consistent with where NARA would end up, they were currently focusing on schedules as an interim step. He said NARA was creating a proactive set of schedules for electronic copies.

Hickerson thanked Carlin for taking time from his schedule to join Council and complimented him on his efforts to keep an open and productive dialogue with SAA, which was to the benefit of both organizations.

REPORT OF THE VICE PRESIDENT

Stout reported that he was beginning the appointment process and would give Council an update at the summer meeting.

REPORT OF THE TREASURER

Sink drew Council attention to the auditor's report, which reflected approximately \$17,000 growth in revenues from the prior fiscal year, about 1.8%.

Harrison noted the 1.8% growth did not compare well against the calendar year 1999 adjustment for inflation at 2.4%.

Sink then drew Council attention to the auditor's management letter which discussed issues with software and with the software firm licensing the product to SAA. Fox discussed difficulties encountered from an unusual amount of instability on the part of the software vendor. Midway through the conversion process, a larger firm bought out the original vendor. This acquisition caused an inordinate amount of instability in the company and adversely affected project management of the transition. Response time on the part of the vendor to conversion issues was unacceptably slow. Fox also explained that with any major systemic change such as this there are bound to be short-term inefficiencies. It is not possible to completely change systems and processes in such a major transition (the first software upgrade of this magnitude since 1988) without encountering some difficulties along the way.

One of those unfortunate difficulties was discovery of the fact that the system arbitrarily dropped names out of section rosters, affecting the timely delivery of section newsletters to members. Fox and the staff worked diligently to identify and resolve the source of the problem. Fox said 90% of the transitional difficulties were resolved and that the system was for the most part working smoothly.

One unintended consequence of the sale was a sharp increase in computer service fees for FY2000. This increase was the result of higher assessment for service.

Sink moved acceptance of the auditor's report. Pearce-Moses seconded. PASSED.

Sink presented an Agreement of the Fredric Miller Memorial Fund which he had negotiated with the Miller family. Eaton moved and Greene seconded the motion that Council accept the agreement. PASSED.

Sink presented two options for an SAA investment policy for special funds. The first option would keep the amount of the award constant from year to year, but the overall value of the fund would be eroded by inflation.

The second option would reinvest part of the interest income back into the principle, protecting the principle from erosion. The amount of the award would start at a lower level and slowly grow larger, declining against inflation gradually.

Sink said he preferred the second option. Hickerson asked that Sink develop a third option to reinvest more of the interest over time by rounding down the size of the awards, which would be discussed on the council listserv and voted upon at the summer meeting.

REPORT OF THE EXECUTIVE DIRECTOR

Fox commended the work of the Continuing Education Task Force, saying that their research was some of the finest she had ever seen. The task force would be meeting in SAA's offices in March and she was optimistic that a quality report would emerge for Council's consideration at the summer meeting.

Fox presented a request from the Publications Board to hold an annual midyear meeting subsidized from the publications revolving fund. Eaton so moved and Harrison seconded. PASSED.

SATURDAY, JANUARY 29, 2000

Adam's Mark Allegations

Hickerson reviewed the chain of events leading up to the Department of Justice charging the Adam's Mark Hotel chain with civil rights violations, including the Denver property where SAA will hold its annual meeting. Hickerson asked Council, when considering the matter of Adam's Mark, to begin with the question of principle rather than with the question of fiscal harm to SAA. The most important factor to consider would be whether or not any of SAA's members would be adversely impacted by holding the meeting in an inhospitable environment.

Council discussed the Adam's Mark record, the charges against the hotel by the Department of Justice, and the penalties which would be incurred should SAA break the contract with the hotel. Nolan reported that SAA would be liable for over \$300,000 to the hotel should SAA choose to meet elsewhere. There were no provisions in the contract to prevent the hotel from levying the charges.

Pearce-Moses said he was concerned that some people would stay away from the meeting. He thought it important that SAA promote other hotels and use the situation as an opportunity to heighten sensitivity to many issues of diversity and to look more deeply into SAA's own culture.

He thought it important that the Adam's Mark make a contribution to a minority fund or by other means in order to demonstrate good faith.

Sink said that he looked at the Adam's Mark chart of minority representation within the hotel chain. It was no worse than minority representation in the archival profession, an issue both sides needed to address. He said he too was concerned about low attendance at the meeting, so he was attracted to the idea that SAA and the hotel could work jointly to fund an activity promoting diversity and attracting membership. It was important to find a way to work with the hotel to find a solution.

Eaton said that it was also important to work with the membership since they would soon become aware of the situation. Whatever Council decided to do, it would be important to involve the key constituencies.

Stout said that SAA was stuck between a rock and a hard place. Financially SAA could not afford not to go. He stressed that it would be important to demonstrate that Council had confidence in the SAA and was also sensitive to minority needs. Perhaps the Local Arrangements Committee could come up with a list of options that would address minority issues in Denver. He agreed that it was important to consult with SAA members and groups on the issues before issuing a decision from Council.

Harrison said that he came at the issue from a different direction. He saw a moral imperative to treat the other party fairly, to honor all contractual obligations, and to withhold judgment until the Justice Department issued a decision. By rushing to act, Council might be creating an injustice. He thought it important that Council communicate to members that SAA was trying to come up with a fair and just solution. However, the hotel created a large problem for the SAA and Council had an obligation to members to insure that all members were treated equitably and well. Council would need to learn a lesson from the situation and investigate all hotel properties in order to insure that they did not have a history of discrimination.

Greene said it would be important to talk with membership openly and quickly and to bring them into the process as soon as practical. He said SAA would need to find a means to make the Denver annual meeting constructive. He said the issue was not solely about the hotel, but about issues of discrimination and racism and that SAA would need to recognize and address in the larger context of the Society and the profession. He saw it as an opportunity to take SAA's diversity initiatives a few steps further.

Kenamore said it would be important to communicate fully with membership, including the financial details and the information received about the Adam's Mark prior discrimination suit.

Tousey said SAA needed an appropriate way to make available information about other hotels.

Willis said the situation was so egregious and the Adam's Mark statements so weak that they did not hold any credibility. The Adam's Mark argument about the Black College Reunion had nothing to do with the Denver allegations. She said most of the Justice Department charges were about cost, charging higher room rates to African Americans. She noted that this was the first time the Justice Department had brought this type of charge against a hotel, and that Justice did not enter into prosecution lightly. Justice always had firm evidence gathered before pressing charges. The Adam's Mark issuing statistics on management said nothing about how they treated their customers. She said she supported the idea that SAA ask the Denver Adam's Mark for some relief, especially because SAA needed some way to attract members to the meeting. Since the annual meeting raised the most nondues funding for the Society, SAA would need help to assist the bottom line.

Hickerson asked, "what are the aspects of being a responsible organization?" At the top of the list was if Council believed that if any SAA members attending the meeting would suffer discrimination then we would have no choice but to pull out and suffer the \$300,000 loss. SAA should not say something is impossible because it costs too much to do the contrary. At some point SAA would have to take the \$300,000 loss rather than put members at risk.

Hickerson said if, however, SAA decided to meet at the Adam's Mark, then the Society would bear responsibility to all players. Gently suggesting that members stay at another property would do a disservice to the vendors. Also, the Society would have to be very careful what it chose to accept from the hotel in compensation, there was a risk in the appearance of being bought off. It would be far better if the Adam's Mark contributed to an archival endeavor.

Council came to consensus that the General Manager of the Denver hotel should write a letter to individual SAA members to insure that they would be treated fairly. Council also agreed that it would be important to bring in a high profile plenary speaker to address the issue of diversity. Council instructed Fox to include in all future contracts a clause addressing equal rights.

Hickerson said he would: call the chairs of the Archives and Archivists of Color Roundtable and ask their help in creating a means at the annual meeting to address the larger impact of diversity in society, the profession, and the practices of the profession, and indicate that SAA would be willing to devote resources to support this effort; issue a report of Council actions to the SAA Leadership listserv and to the Archives and Archivists listserv with a request for comments; send a letter to all individual members addressing the situation and SAA's efforts to turn it into a positive learning opportunity; direct Fox to request that the hotel contribute rooms to the Minority Student Award winners, the Holmes Award winners, as well as fund tours to diversity related sites, such as the Black Cowboy Museum.

Sink said he would like to see the hotel contribute \$10,000 to fund an archival survey of under documented communities in Denver and contribute at least \$5,000 to the Museum of the Black Cowboy or other minority-identified organization.

Sink moved and Peace-Moses seconded the following resolution:

WHEREAS it is the policy of the Society of American Archivists:

"Because discrimination and unequal treatment are inimical to the Society's goals, SAA hereby declares that discrimination on the grounds of race, color, creed, gender, national origin, age, marital status, family relationship, individual life style, and disability is prohibited within the Society. SAA will vigorously pursue a policy of non-discrimination and equal opportunity through its programs, activities, services, operations, employment, and business contracts." *(Approved by Council, January 1992)*

WHEREAS the Adam's Mark hotel chain has been charged by the Justice Department for engaging in a pattern of discrimination against minorities in their hotels

THEREFORE the Society of American Archivists resolves that if either the Adam's Mark fails to reach a corrective settlement with the Department of Justice or is found guilty of discrimination, the Society will refrain from conducting any future activities of the Society on the properties of the Adam's Mark Hotel chain.

PASSED.

Council went into executive session at 11:30 to discuss the Executive Director's annual evaluation.

ARCHIVES AND ARCHIVISTS LISTSERV POLICY

Pearce-Moses distributed a draft revision of a policy guiding the management of the Archives and Archivists listserv.

Greene offered some background to the proposal, saying that it first arose regarding the issue of posting copyrighted materials on the Internet and how that applied to SAA as the sponsor of the list, as opposed to technically being an Internet Service Provider (ISP). He said he received some pro bono legal opinions, but did not know how they would apply to SAA. There were many large legal questions still to be resolved, which was why the sub-committee saw the need to develop the policy in the first place.

Pearce-Moses moved adoption of the policy as amended. Stout seconded. PASSED.

Pearce-Moses said the policy would become the welcome message to new subscribers and would be introduced to the list with an explanatory paragraph provided by the sub-committee members.

NHPRC PROPOSAL TO DEVELOP ON-LINE COURSE OFFERINGS

Hickerson said the Executive Committee supported the creation of a series of on-line versions of the advanced topics within the archival fundamental series. This would require an October 1, 2000 submission to the NHPRC, which would require a draft proposal by June. Stout, Pearce-Moses, Greene, Eaton, and Kenamore agreed to develop the proposal.

OLD BUSINESS

CEPD Definition of an Archivist

Greene suggested that Council consider redrafting the charge (originally given to CEPD) from creating a definition of an archivist, which was a problematic exercise for a number of reasons, to drafting language for a letter to be sent to John Carlin or other appropriate person at NARA explaining as best as possible what SAA understood to be the generally accepted requirements for an entry-level archivist in the United States.

Willis suggested that the revised charge be the responsibility of Council. Willis and Tousey volunteered to work with Greene on drafting the letter. She recommended that it focus on NARA's specific range of needs.

Committee on Ethics and Professional Conduct Guidelines

Kenamore introduced the revised CEPC guidelines. She said the document had difficulty addressing the differences between mediation and adjudication, i.e., what to do if a third party raised an ethics charge when neither of the two involved parties desired SAA involvement. After general discussion regarding issues involved with how best to handle ethical complaints, if at all, Council amended the document, and Greene moved acceptance of the document pending final editorial revision. Tousey seconded. PASSED.

Selection of Fellows to Serve on Committee to Select SAA Fellows

Council elected by ballot Tim Ericson, Bill Wallach and Beth Yakel to serve on the Committee to Select SAA Fellows.

STRATEGIC PLAN

Pearce-Moses offered to edit the current draft plan for review at the June meeting. He said he thought it would be important to develop priorities and benchmarks for the plan. He also said it would be important to target Section and Roundtable leaders, to solicit their input and to communicate that strategic planning was an iterative, ongoing process.

Hickerson suggested that the plan would be most effective if it contained short-term tactical goals to be achieved within a maximum of 24 months.

Stout suggested distilling the plan down into three or four pages, including the action steps and turn it into a 24-36 month rolling strategic plan. He noted that one of the roles Council members held as SAA leaders was to help set priorities. The strategic objectives would need to embody those actions which would truly make a difference to the Society.

Pearce-Moses said he would post and initial schema to the Council listserv in February, solicit Council comments in March, then finalize the draft in April.

Sink read the To Do List.

The meeting adjourned at 5:54 p.m.