



DIGITAL PUBLIC LIBRARY
OF AMERICA

Governance Workstream Workshop Notes

National Archives in Washington, DC

February 15, 2012

Conveners Present:

David Ferriero, Chair
John Palfrey, Chair
Ginnie Cooper
Robert Darnton
Susan Hildreth
Maureen Sullivan

Members of the Public Present:

David Rothman
Merrilee Proffitt *

Presentations By:

Rebekah Heacock
Nathaniel Levy

Coordinator:

Meredith Doviak

*Present via telephone

The meeting convened at 9:00 a.m. David Ferriero welcomed those assembled to the National Archives. Introductions were made. Special recognition was given to Robert Darnton, who was recently presented the National Humanities Medal by President Obama.

The meeting consisted of three main discussion areas: review of open meetings key questions that need to be answered in guidelines (and to begin a discussion on open meetings), the research memo prepared by the Berkman Center on governance models, and core values.

At this point the Digital Public Library of America (DPLA) is research project hosted by the Berkman Center for Internet & Society, though it strives to be more, being committed to openness, inclusion and participation. John Palfrey said the trajectory of the Workstream is toward a broad, community-based effort working in the public's interest, but also possessing a sense of restraint and understanding. DPLA seeks to govern by consensus to the greatest extent possible. Workstreams will share their deliberations with the DPLA Steering Committee.

Review of Open Meetings Memo/Key Questions that Need to be Answered in DPLA Open Meetings Guidelines

Nathaniel Levy and Rebekah Heacock of the Berkman Center presented a high-level overview of open-meeting policies across a variety of contexts, including some state governmental organizations, professional membership organizations and public/private organizations. Their memo outlines five components of openness and provides seven questions and suggested responses thereto.

What constitutes a meeting? DPLA has conducted several public meetings and workshops. Remote participation opportunities have been made available when possible. The mailing list is open to public participation. Preparatory administrative meetings have been conducted in advance of public meetings, more of which will occur prior to April 2013. Perhaps meetings can be thought of as falling along a spectrum of openness, one which accommodates administrative and plenary meetings. Further thought must be given to conduct of Steering Committee meetings and preparatory meetings for plenary meetings. Ginnie Cooper noted that, in governmental organizations, decisions are not made in less-open, unannounced meetings. Some organizations have rules stating that bodies may not move to closed session for the purpose of avoiding public interaction. Closed sessions should be used for administrative simplicity and for discussion of sensitive matters such as personnel issues. Excessively open meetings can become awkward. The Workstream agreed that in-person meetings should be conducted in a comparatively more open manner. Steering Committee teleconferences could be divided into two types of participation: listen-only for members of the public and listen-and-talk for members of the Committee and their staff, with time allotted for public comment. Alternatively, meetings could be recorded and made available to the public. Public comments could be entertained at the beginning of a meeting, the end, or both.

A recommendation to the Steering Committee: the Governance Workstream recognizes a range of different types of meetings. DPLA aims to hold all important discussions in an open, transparent fashion. All plenary, Workstream, and Steering

Committees ought to count as meetings for the purpose of this policy. Administrative meetings and closed sessions for sensitive matters ought to be carved out as of a more closed nature. The Workstream believes that policy can be changed to accommodate the opportunity for public comment at Steering Committee meetings and teleconferences, and that, at minimum, the public should be able to hear a recording of such proceedings.

The noticing of Workstream and Steering Committee meetings. Different types of notice have been used in advance of DPLA meetings, based on several factors. Robert Darnton said “we can be specific without being ironclad.” He added that need may arise to conduct improvised meetings without their being prior noticed. John Palfrey concurred insofar as the planning period is concerned, noting the principle that non-open meetings should not be held for the purpose of avoiding public interaction. Given the complexity during the planning period, flexibility is likely necessary. Discussion ensued as to the suitability/sufficiency of a minimum of two weeks’ notice prior to any open meeting. Perhaps meetings of different bodies or types should have different noticing requirements. The Workstream concurred: the minimum guidelines ought be one month’s notice for plenary meetings and two weeks’ notice for other meetings.

Proposed channels. The Workstream concurred that its efforts thus far had been adequate via the number of channels through which information is transmitted. Discussion ensued as to subscribing to DPLA and Workstream listservs, also whether all subscribers to the general DPLA listserv should be actively informed of all meetings or whether announcements should go only to individual workstream listservs. Mr. Rothman suggested that major meetings of Workstreams should be noticed on the DPLA listserv, though, alternatively, concern exists that some members of the public might view the flow of information as unmanageably large.

Advanced registration. Susan Hildreth noted concerns about planning for adequate space, and that the topic raised larger questions about the role of technology in meeting planning and conduct. Real-world factors may limit virtual as well as in-person participation. DPLA should be governed by a “best-effort rule” in this regard. The members of the Workstream concurred that public outreach and involvement has been adequate. Pre-registration for in-person meetings seems necessary and, in fact, beneficial, since it allows attendees to be welcomed, and can help shape the meeting’s agenda in advance.

With respect to live-streaming versus recorded audio of all meetings, budgets generally prevent provision of both live-streaming and high quality audio recording, though plenary meetings should have both. As a principle of access, a higher quality recorded version is more important than a live-streamed version.

How long after each meeting will materials be posted? Target of two weeks or better to distribute notes.

Under what conditions will closed meetings be allowed? Other groups have addressed this issue, and the DPLA would do well to incorporate their guidance by reference. Closed sessions should be allowed where no final action is to be taken. Such sessions will be announced as part of a meeting’s agenda.

What is the process for developing a Workstream proposal that requires decision-making by the Steering Committee? John Palfrey suggested that Workstreams prepare topics for discussion by the Steering Committee, which would take appropriate action,

seeking broad consensus at each level. Two weeks should be allotted for members of the public to provide comments on matters to be taken up by Workstreams or the Steering Committee. The Berkman Center will conduct research on the feasibility of a process wherein ideas are floated by a Workstream and then could be commented on by interested parties, a process that the Internet Engineering Task Force (IETF) has used to some success. Proposals from Workstreams to the Steering Committee should be incorporated into a template format, though allowance could be made for proposals which do not lend themselves to such a device. To the greatest extent possible, everything should be on the DPLA public websites.

The Berkman research team was tasked with developing this discussion into a proposal for review by the Governance Workstream, followed by submission to the Steering Committee.

Review of the Analogous Models Memo and Discussion of Next Research Steps

The Berkman Center staff conducted research on various models of governance which might be exemplary to the DPLA, sorting them into two categories: obviously and potentially relevant. Obviously relevant structures included web-oriented, library-oriented and public/private models. Potentially relevant models were “somewhat more imaginative.” Berkman Center staff are to conduct more research and develop a proposal for discussion at DPLA West in April 2012 to allow ample time for comments and discussion prior to decision making. Debate of concrete proposals should begin as soon as possible. Berkman Center staff seek feedback from Workstream members so that a longer, more exploratory memo could be developed for Workstream consideration.

Mission and vision. What is the state that DPLA aspires to? This question is very different than the mission of the project. Mission and vision should not get in the way of fundamental concerns such as how to complete the work of the DPLA. Consideration of the mission and vision statements of analogous organizations would be helpful in the Workstream’s deliberations. At this stage of the organization’s development, vision may be more important than mission. A very succinct vision statement should be developed as a crisp statement that the public can grasp; distilled into a one or two sentence “elevator speech.” We can then expand into a four-page mission document. Berkman Center staff should explore the work of John Kotter and the Big Opportunity in how it might help DPLA with respect to vision development.

Core functions. Advocacy/lobbying on behalf of DPLA is likely to be necessary and extensive. DPLA needs consensus on what its core functions are and how those will be accomplished. Considering these elements will impact the structure of the organization. Core functions will evolve as the organization does.

Organizational model/infrastructure. Mr. Rothman said he hopes DPLA will perform coordination and advisory services, acting in some respects like a think tank, sharing technology in an open-source manner. He advocates a double structure built around public and academic library participation.

Participation. David Ferriero said DPLA’s goal from the beginning is to be all-inclusive. The project has worked to ensure that it is not an academic-driven pursuit. The American Library Association (ALA) could be used to foster understanding of DPLA’s

mission. The Governance Workstream should answer the question, what would it mean for an organization to participate? Two types of documents need consideration: first, participation agreements, including sharing content and metadata; and the other outlining what licenses and sharing should look like. Notionally, license agreements should involve a standard approach, instead of creating one-off agreements that limit and complicate interaction.

DPLA should avoid management and agreement structures that are overly complex or prevent agile decision-making. A goal should be established to get various types of libraries involved in the DPLA project by a certain date. On the whole, museums do not seem as far along as libraries in terms of digitization of collections. DPLA should make efforts to involve forward-thinking museum elements. DPLA can make arguments for participation based on both individual advantage and public good. DPLA could offer curatorial services which will help institutions in their own curatorial and outreach efforts; outreach can empower libraries to do more with their collections. Connecting collections will drive knowledge and discovery in unpredictable ways. It is crucial that in April 2013, the DPLA has a lot of content and special collections available; the more that is lined up in advance, the more attractive the DPLA will be.

Decision-making structures. The message is clear that the structure should have minimal bureaucracy. A model which might be effective is the “responsible/responsive/flexible adhocacy,” a term originally coined by Robert Quinn and adapted by the Workstream. Perhaps organizations should have greater membership opportunities than individuals. Having a first-rate executive director will be crucial. It may be best to promulgate an organizational and executive structure in the near term with the goal of implementing a more permanent, refined structure at a later date. The hand-off from the Berkman Center to a new management organization has not yet been fully discussed by the Steering Committee. Berkman Center staff should develop a set-back schedule for creation and activation of certain positions and activities prior to April 2013. The Workstream recommends creation of a small, experienced selection committee focused on personnel recruitment, at least for the proposed position of Executive Director. Maureen Sullivan volunteered to work with the Berkman Center staff to develop a more precise recommendation (one-pager) to the Steering Committee for such a body. Discussion ensued as to whether members of the selection committee should be eligible to become DPLA’s Executive Director. If it becomes clear that someone in the committee wants to apply for the position, they can remove themselves from the committee. A headhunter for the Executive Director position would make this a more efficient process. Funders and contributors should have a role in governance decisions; there should be a role for individuals as well as institutions. Further comment from the Workstream members on the list of potential organization types is encouraged.

Core Values/Mission Discussion in Response to Concept Note

Does this still hold up: a Digital Public Library of America that is an open, distributed network of comprehensive online resources that would draw on the nation’s living heritage from libraries, universities, archives and museums in order to educate, inform and empower everyone in the current and future generations.

Several terms were suggested to be incorporated in some manner: enlighten, infrastructure, leaders, innovation, intellectual freedom, open access, free access, transparency, inclusion/inclusiveness, openness, collaboration, excellence, trusted, responsive, flexible, relevance, diverse, privacy, joy, pleasure, fulfillment, delight, inspiration. John Palfrey suggested a drafting approach wherein the Mission would be understood as educating, enlightening and empowering; the Vision as the creation of a network of resources (though described in more detail), followed by a concept note of how the Vision would be accomplished.

Discussion about whether or not open access means “free.” The DPLA will always be free to end users, but not necessarily for institutions (DPLA would not pay along the way). Open Access as a term can be problematic, as there are many different flavors to this term, and a consistent definition should be established. Perhaps some reassurance should be given to public libraries that DPLA will not preempt end users away from municipal libraries. The DPLA as contemplated would be mediated in some fashion by public libraries.

Summary/Conclusion

David Ferriero said much has been accomplished in a very short period of time. He thanked the members of the Workstream and the Berkman Center staff for their past and future efforts. The next DPLA Plenary meeting is scheduled for April 27, 2012 in California.