

# **ASC OP Procedures for the Development and Coordination of American National Optical Standards**

**January 24, 2005**



## ASC OP Procedures for the Development and Coordination of American National Optical Standards

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# ASC OP Procedures for the Development and Coordination of American National Optical Standards

## ASC OP Procedures

### 1. General

ASC OP has adopted these model procedures for an accredited standards committee that were originally developed by ANSI to meet the requirements for due process and development of consensus for approval of American National Standards.

### 2. Organization of the committee

The committee shall consist of its members and secretariat. It shall have a title, scope, and an interest classification system for its members. The membership shall be sufficiently diverse to ensure reasonable balance without dominance by a single interest category.

### 3. Responsibilities

#### 3.1. Committee membership

The committee members shall be responsible for:

- a) developing proposed American National Standards within the scope of the committee;
- b) voting on approval of proposed American National Standards within its scope;
- c) maintaining the standards developed by the committee so that the standards are kept current and relevant by means of timely revision or reaffirmation;
- d) adopting committee policy and procedures for interpretations of the standard(s) developed by the committee  
(see 11.3)
- e) responding to requests for interpretations of the standard(s) developed by the committee  
(see 11.3);
- f) adopting committee procedures and revisions thereof;
- g) considering and acting on proposals for termination of the committee (see clause 10);
- h) other matters requiring committee action as provided in these procedures.

#### 3.2. Secretariat

The secretariat shall:

- a) organize the committee (see clause 2);
- b) apply for committee accreditation by ANSI and maintain accreditation in accordance with ANSI requirements, including submission of the committee roster;
- c) oversee the committee's compliance with these procedures (see clause 11.3);
- d) maintain a roster of the committee and a list of standards for which the committee is responsible;
- e) provide a committee secretary to perform administrative work, including secretarial services; meeting notices and arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards; and maintenance of adequate records;
- f) submit candidate standards approved by the committee, with supporting documentation, for ANSI review and approval as American National Standards;
- g) publish or arrange with ANSI for publication of its standards, revisions, and addenda;
- h) perform other administrative functions as required by these procedures;
- i) provide a written agreement defining explicit division of these responsibilities if composed of more than one organization (i.e., co-secretariat).

### 4. Officers

There shall be a chair and a vice-chair appointed by the secretariat from the individual members or representatives of the committee, subject to approval by majority vote of the committee. Each will serve until a successor is selected and ready to serve. The vice-chair shall carry out the chair's duties if the chair is temporarily unable to do so. The secretary shall be appointed by the secretariat.

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### **5. Membership**

Members of the committee shall consist of organizations (preferably national in scope), companies, government agencies, individuals, etc., having a direct and material interest in the activities of the committee. The addition or termination of members shall be subject to approval by vote of the committee after the application has been processed in accordance with 5.1 or the membership reviewed in accordance with 5.2.

#### **5.1. Application**

A request for membership shall be addressed to the secretariat, shall indicate the applicant's direct and material interest in the committee's work and qualifications and willingness to participate actively, and, if the applicant is an organization, company, or government agency, shall identify a representative (and an alternate, if desired).

##### **5.1.1. Recommendation**

In recommending appropriate action to the committee on applications for membership, the secretariat shall consider the:

- a) need for active participation by each interest;
- b) potential for dominance by a single interest category;
- c) extent of interest expressed by the applicant and the applicant's willingness to participate actively;
- d) representative identified by the applicant organization, company, or government agency.

The secretariat may consider reasonable limits on committee size.

##### **5.1.2. Diverse interests**

If distinct divisions of an organization can demonstrate independent interests and authority to make independent decisions in the area of the activity of the committee, each may apply for membership.

##### **5.1.3. Combined interest**

When appropriate, the secretariat may recommend that the applicant seek representation through an organization that is already a member and represents the same or similar interest.

### **5.2. Review of membership**

The secretariat shall review the membership list annually with respect to the criteria of clause 5. Members are expected to fulfill obligations of active participation. Where a member is found in habitual default of these obligations, the secretariat shall direct the matter to the committee for appropriate action, which may include termination of membership.

### **5.3. Observers and individual experts**

Individuals and organizations, having an interest in the committee's work may request listing as observers. The committee may also select individual experts to assist it. Individual experts shall serve for a renewable term of one year and shall be subject to approval by vote of the committee upon recommendation by the chair and the secretariat. Observers and individual experts shall be advised of the committee activities, may attend meetings, and may submit comments for consideration, but shall have no vote.

### **5.4. Interest categories**

All appropriate interests that might be directly and materially affected by the standards activity of the committee shall have the opportunity for fair and equitable participation without dominance by any single interest. Each member shall propose its own interest category as appropriate and in accordance with the committee's established categories.

The interest categories shall be established or revised by a vote of the committee upon recommendation by the secretariat. The rationale for the selection of categories shall be included in the committee ballot and submitted to ANSI as part of the accreditation requirements.

The secretariat shall maintain a current and accurate committee roster and shall distribute it to the members and their committee representatives at least annually, and otherwise on request.

The roster shall include the following:

- a) Title of the committee and its designation;
- b) Scope of the committee;
- c) Secretariat: Name of organization, name of secretary, and address(es);
- d) Officers: Chair and vice-chair;
- e) Members: Name of organization or agency, its representative and alternate (as applicable), addresses, and business affiliations; or name, address, and business affiliation of individual member(s);

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- f) Classification of each member;
- g) Tally of classifications: Total of voting members and subtotals for each interest category;
- h) For each subgroup: Title, chair, and names and addresses of all members.

### **6. Subgroups created by the committee**

When one or more subgroups (subcommittees, working groups, technical subcommittees, writing groups, etc.) are formed to expedite the work of the committee, their formation (and later disbandment) requires approval by a majority vote of the committee and appropriate public notice. The scope and duties delegated to the subgroup shall be approved at the time it is formed, and subsequent changes in scope or duties shall also require approval.

The charge to the subgroup shall clearly state whether:

- a) the subgroup is responsible for the definitive content of one or more standards and for responding to views and objections thereon. Such subgroups shall maintain a membership roster in accordance with 5.4(a) through 5.4(g) and shall comply with the provisions in 5.4, 7.1, and clause 8 as applied to voting on the standard(s); or
- b) the subgroup is responsible for assisting the committee (e.g., drafting all or a portion of a standard, drafting responses to comments, drafting positions on international standards, or other purely advisory functions).

#### **6.1. Chairperson and members of subgroups**

The chair and members of a subgroup shall be appointed by the chair of the committee and confirmed by the committee. The committee shall review the scope, duties, and membership of all subgroups annually.

The officers and members of a subgroup need not be members of the committee.

#### **6.2. Approval of standards**

Draft standards and any substantive change in the content of a standard proposed by a subgroup shall be referred to the committee for approval.

### **7. Meetings**

Committee meetings shall be held, as decided upon by the committee, the chair, the secretariat, or by petition of five or more members, to conduct business, such as making assignments, receiving reports of work, considering draft standards, resolving differences among subgroups, and considering views and objections from any source.

Meetings of subgroups may be held as decided upon by the members or chair of the subgroup.

#### **7.1. Open meetings**

Meetings of the committee shall be open to all members and others having a direct and material interest. At least four weeks' notice of regularly scheduled meetings shall be given by the secretariat in ANSI's *Standards Action*; or in other media designed to reach directly and materially affected interests; or in both. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The secretariat may optionally maintain a permanent mailing list of other interests.

#### **7.2. Quorum**

A majority of the members of the committee shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions may be taken subject to confirmation by letter ballot.

### **8. Voting**

#### **8.1. Vote**

Each member shall vote one of the following positions:

- a) Affirmative;
- b) Affirmative, with comment;
- c) Negative, with reasons (the reasons for a negative vote shall be given and if possible should include specific wording or actions that would resolve the objection);
- d) Abstain, with reasons.

##### **8.1.1. Vote of alternate**

An alternate's vote is counted only if the principal representative fails to vote.

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### **8.1.2. Single vote**

Generally no representative shall have more than one vote. However, if two or more organizations appoint the same individual to represent each of them, that individual may cast a separate vote for each organization represented. The organizations shall confirm in writing to the secretariat that they are aware of and will accept the results. Additionally, representation of more than one organization by the same individual shall require approval by a majority of the committee, excluding the vote of that individual.

### **8.1.3. Voting period**

The voting period for letter ballots shall end thirty days from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at the chair's option, when warranted.

A follow-up letter requesting immediate return of the ballot shall be sent, as appropriate, to members and alternate members whose votes have not been received within ten working days before the ballot closes.

### **8.2. Actions requiring approval by a majority**

The following actions require approval by a majority of the membership of the committee either at a meeting or by letter ballot:

- a) confirmation of officers appointed by the secretariat;
- b) formation of a subgroup, including its procedures, scope, and duties;
- c) disbandment of subgroups;
- d) addition of new committee members and designation of their interest categories;
- e) approval of withdrawal of an existing standard.

The following actions, by committee vote at a meeting, require approval by a majority of the members present:

- a) approval of minutes;
- b) authorization of a letter ballot.

### **8.3. Actions requiring approval by two-thirds of those voting**

The following actions require a letter ballot or an equivalent formal recorded vote with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions:

- a) adoption of committee procedures, interest categories, or revisions thereof;
- b) approval of a new standard or reaffirmation of an existing one;
- c) approval of revision or addendum to part or all of a standard;
- d) approval of change of committee scope;
- e) approval of termination of the committee.

### **8.4. Authorization of letter ballots**

A letter ballot may be authorized by any of the following:

- a) majority vote of those present at a committee meeting;
- b) the chair;
- c) the executive committee (if one exists);
- d) the secretariat;
- e) petition of five or more members of the committee.

### **8.5. Other review**

Proposals for new American National Standards or reaffirmation, revision, or withdrawal of existing American National Standards shall be transmitted to ANSI for listing in *Standards Action* for comment.

The secretariat shall determine whether listing of proposed standards actions shall be concurrent with the final committee letter ballot and whether announcement in other suitable media is appropriate. The secretariat shall transmit a copy of the proposed new, revised, or reaffirmed standard to the administrator(s) of the appropriate USA Technical Advisory Group(s) at the same time.

Views and objections resulting from the above shall be dealt with in accordance with 8.6. Any substantive change made in the proposed American National Standard shall be relisted in accordance with 8.6.

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### **8.6. Disposition of views and objections**

When the balloting has been closed, the secretary shall forward the ballot tally to the chair of the committee or, if appropriate, of the subgroup; the chair shall determine whether the expressed views and objections shall be considered by correspondence or at a meeting.

Prompt consideration shall be given to the expressed views and objections of all participants, including those commenting on the listing in *Standards Action*. An effort to resolve all expressed objections shall be made, and each objector shall be advised of the disposition of the objection and the reasons therefor. In addition, each objector shall be informed that an appeals process exists within procedures used by the standards developer.

Substantive changes required to resolve objections, and unresolved objections, shall be reported to the committee members in order to afford all members an opportunity to respond to them or to reaffirm or change their votes within four weeks.

When the above process is completed, in accordance with procedures of the standards developers, the standards developer may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them at the next review.

### **8.7. Report of final result**

The final result of the voting shall be reported, by interest categories, to the committee.

## **9. Submittal of standard**

### **9.1. Submission process**

Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by the secretariat. If the secretariat does not submit the proposal to ANSI within a reasonable period of time, any member(s) of the committee may make the submittal.

### **9.2. Information submitted**

The information supplied to ANSI shall include:

- a) title and designation of the proposed American National Standard;
- b) indication of the type of action requested (that is, approval of a new American National Standard or reaffirmation, revision, or withdrawal of an existing one);
- c) two copies of the final proposed American National Standard;
- d) a declaration that the accredited procedures were followed;
- e) a declaration that the proposed standard is within the scope of the committee;
- f) a declaration that there are no identified significant conflicts with another known American National Standard;
- g) a declaration that other known national standards have been examined with regard to harmonization and duplication of content;
- h) a statement that the proposed American National Standard has been provided to the administrator(s) of the appropriate USA Technical Advisory Group(s);
- i) a declaration that all appeal actions related to approval of the proposed standard have been completed;
- j) a summary of the voting, including abstentions and unreturned ballots in each interest category;
- k) identification of all unresolved negative views and objections, names of the objector(s), and a report of attempts toward resolution;
- l) a roster of the committee and applicable subgroups at the time of committee ballot.

## **10. Termination of committee**

A proposal to terminate an Accredited Standards Committee may be made by a directly and materially affected interest. The proposal shall be submitted in writing to the secretariat and to ANSI and shall include at least the following:

- a) reasons why the committee should be terminated;
- b) the name(s) of the organization(s) that will assume responsibility for maintenance of any existing American National Standard(s) that are the responsibility of the committee.

If it appears, after review by ANSI and discussion among the proponent of the action, the secretariat, and the ExSC or its designee, that the desired objectives can best be reached by termination, the proposal and supporting documentation shall be submitted to the committee with a letter ballot to terminate the committee and transfer responsibility, as appropriate, for the

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affected standards. Concurrently, the proposal shall be announced for comment in *Standards Action*.

### **11. Communications**

Correspondence of committee officers should be on "committee correspondence" letterhead.

#### **11.1. Formal internal communication**

If correspondence between subcommittees or between working groups of different subcommittees involves issues or decisions (i.e., nonroutine matters) affecting other subcommittees, copies shall be sent to all affected subcommittee chairs, the secretariat, and the committee officers.

#### **11.2. External communication**

Inquiries relating to the committee should be directed to the secretariat, and members should so inform individuals who raise such questions. All replies to inquiries shall be made through the secretariat.

#### **11.3. Requests for interpretation of standards**

Written inquiries requesting interpretation of the committee's approved American National Standards shall be responded to in accordance with the policy of the committee (see 3.1(d)). Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these procedures.

### **12. Appeals**

Persons who have directly and materially affected interests and who have been or will be adversely affected by a standard within the committee's jurisdiction, or by the lack thereof, shall have the right to appeal substantive or procedural actions or inactions of the committee or the secretariat.

#### **12.1. Complaint**

The appellant shall file a written complaint with the secretariat within thirty days after the date of notification of action or at any time with respect to inaction. The complaint shall state the nature of the objection(s) including any adverse effects, the clause(s) of these procedures or the standard that are at issue, actions or inactions that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted.

#### **12.2. Response**

Within thirty days after receipt of the complaint, the respondent (chair or secretariat representative) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

#### **12.3. Hearing**

If the appellant and the respondent are unable to resolve the written complaint informally in a manner consistent with these procedures, the secretariat shall schedule a hearing with an appeals panel on a date agreeable to all participants, giving at least ten working days notice.

#### **12.4. Appeals panel**

The appeals panel shall consist of three individuals who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the respondent. Where the parties to the appeal cannot agree on an appeals panel within a reasonable amount of time, the matter may be referred to the Executive Standards Council or its designee, which shall appoint members of the appeals panel.

#### **12.5. Conduct of the hearing**

The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The respondent has the burden of demonstrating that the committee and the secretariat took all actions in compliance with these procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein.

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### **12.6. Decision**

The appeals panel shall render its decision in writing within thirty days, stating findings of fact and conclusions, with reasons therefor, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant, remanding the action to the committee or the secretariat with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;
- b) Finding for the respondent, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
- c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the committee or the secretariat for appropriate reconsideration.

### **12.7. Further appeal**

If the appellant gives notice that further appeal to ANSI is intended, a full record of the complaint, response, hearing, and decision shall be submitted by the secretariat to ANSI.

### **13. Parliamentary procedures**

On questions of parliamentary procedure not covered in these procedures, *Robert's Rules of Order* (latest edition) may be used to expedite due process.