

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

November 24, 2015



# TABLE OF CONTENTS

<b>1</b>	<b>General</b> .....	<b>4</b>
<b>2</b>	<b>Organization of the committee</b> .....	<b>4</b>
<b>3</b>	<b>Responsibilities</b> .....	<b>4</b>
3.1	Committee membership.....	4
3.2	Secretariat .....	4
<b>4</b>	<b>Officers</b> .....	<b>5</b>
<b>5</b>	<b>Membership</b> .....	<b>5</b>
5.1	Application.....	5
5.1.1	Recommendation.....	5
5.1.2	Diverse interests.....	5
5.1.3	Combined interest.....	5
5.2	Review of membership.....	5
5.3	Observers and individual experts .....	5
5.3.1	Individuals with material interest.....	6
5.4	Interest categories.....	6
5.5	Participation Fee.....	6
<b>6</b>	<b>Task forces created by the committee</b> .....	<b>6</b>
6.1	Chairperson and members of task forces.....	7
6.2	Initiation of a new standard development project.....	7
6.3	Approval of standards.....	7
<b>7</b>	<b>Meetings</b> .....	<b>7</b>
7.1	Open meetings.....	7
7.2	Quorum.....	7
<b>8</b>	<b>Voting</b> .....	<b>7</b>
8.1	Vote.....	7
8.1.1	Votes concerning membership.....	8
8.1.2	Vote of alternate.....	8
8.1.3	Single vote.....	8
8.1.4	Voting opportunity.....	8
8.1.5	Voting period.....	8
8.2	Actions requiring approval by a majority.....	8
8.3	Actions requiring approval by two-thirds of those voting.....	8
8.4	Authorization of letter ballots .....	9
8.5	Other review.....	9
8.6	Disposition of views and objections.....	9
8.7	Report of final result.....	9
<b>9</b>	<b>Submittal of standard</b> .....	<b>10</b>
9.1	Submission process .....	10
9.2	Information submitted.....	10
<b>10</b>	<b>Discontinuance of a standards project</b> .....	<b>10</b>
<b>11</b>	<b>Termination of committee</b> .....	<b>10</b>
<b>12</b>	<b>Communications</b> .....	<b>11</b>
12.1	Formal internal communication.....	11
12.2	External communication.....	11
12.3	Requests for interpretation of standards.....	11
<b>13</b>	<b>Appeals</b> .....	<b>11</b>
13.1	Complaint.....	11
13.2	Response.....	11

13.3	Hearing.....	11
13.4	Appeals panel.....	11
13.5	Conduct of the hearing.....	12
13.6	Decision.....	12
<b>14</b>	<b>Parliamentary procedures.....</b>	<b>12</b>
<b>15</b>	<b>Record Retention.....</b>	<b>12</b>
<b>16</b>	<b>Interpretation of American National Standards.....</b>	<b>12</b>
<b>17</b>	<b>Withdrawal of an American National Standard.....</b>	<b>12</b>
<b>18</b>	<b>Metric policy.....</b>	<b>13</b>
<b>19</b>	<b>Patent policy.....</b>	<b>13</b>
<b>20</b>	<b>Antitrust policy.....</b>	<b>13</b>
<b>21</b>	<b>Commercial terms and conditions policy.....</b>	<b>13</b>

# ASC OP Procedures

## 1 General

ASC OP has adopted these procedures to meet the requirements for due process and development of consensus for approval of American National Standards for Optics and Electro-Optical Instruments.

## 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 12.3)
- e) responding to requests for interpretations of the standard(s) developed by the committee (see 12);
- f) adopting committee procedures and revisions thereof;
- g) considering and acting on proposals for termination of the committee (see clause 11);
- 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;
- 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 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.

#### **5 Membership**

Members of the committee shall consist of organizations (preferably national in scope), companies, government agencies, etc., having a direct and material interest in the activities of the committee. The addition or termination of members shall be tentative, subject to annual 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. There is a participation fee for committee membership (clause 5.5). Tentative members do not have voting privileges until approved by the committee.

##### **5.1 Application**

A request for membership shall be addressed to the secretariat (preferably by filling out the membership form on the OEOSC web site), 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 imbalance of interest categories;
- 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 including payment of participation fee and attendance to meetings. Where a member is found in habitual default of these obligations such as the failure to pay fees or attend meetings for more than 1 year, 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 can be solicited at any time, shall serve for a renewable term and shall be temporary subject to affirmation or rejection by vote of the committee upon recommendation by the chair and/or 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.

### **5.3.1 Individuals with material interest**

Individuals with material interest in the standards activity of the committee may request, in writing, to be added as a voting member rather than as an observer. If approved by the committee, they will be considered a voting member. They will be invoiced the lowest activity fee allowed for a member company, rather than that of an individual observer.

## **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 current interest categories are:

- a) Producer – one who produces optical components or systems for sale,
- b) Industrial User – one who purchases optical components to be integrated into a product for sale, or uses optical systems in the manufacturing process,
- c) General Interest – one who has an academic or personal interest in optics.

The interest categories may be revised by a vote of the committee upon recommendation by the secretariat.

The secretariat shall maintain a current and accurate committee roster on the OEOSC web site. Anyone who does not have Internet access may request a copy of the roster from the OEOSC Executive Director.

The roster shall include the following:

- a) Title of the committee and its designation;
- b) Officers: Chair and vice-chair;
- c) Members: Name of organization or agency, its representative and alternate (as applicable), email address, and business affiliations; or name, email address, and business affiliation of individual member(s);
- d) Interest category of each member;
- e) Tally of interest categories: Total of voting members and subtotals for each interest category;
- f) For each task force: Task force name and leader.

In the event that the committee lacks balance in accordance with the historical criteria for balance, and no specific alternative formulation of balance was approved by the ANSI Executive Standards Council, outreach to achieve balance shall be undertaken.

## **5.5 Participation Fee**

The secretariat charges an annual fee to help finance the cost of administering the committee. The fee schedule may be found on the OEOSC web site and on the participation fee invoice. If the annual fee presents an undue financial hardship to the potential member, the applicant may petition the OEOSC Board of Directors for relief. The applicant will be asked to document the reason for the hardship.

## **6 Task forces created by the committee**

When one or more task forces composed of members of the committee are formed to expedite the

work of the committee, their formation (and later disbandment) requires consensus of the committee. When the task force reaches consensus that the draft standard is ready for balloting, it will report to the committee so that a ballot can be submitted to the members of the committee for approval of the draft as an American National Standard. Establishment of the task force and the roster of the task force will be reported on the OEOSC web site. The task force members will be listed in the foreword of the standard.

### **6.1 Chairperson and members of task forces**

The chair and members of a task force 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 task forces annually.

### **6.2 Initiation of a new standard development project**

Prior to beginning work on a new standard development project or a revision of an existing standard, the secretary of the committee shall file a PINS form, requesting listing of the project initiation in *ANSI Standards Action*. Comments that are received, including assertions of conflict or duplication, shall be dealt with in accordance with section 2.5.1 of *ANSI Essential Requirements*.

At the initiation of the project, if appropriate, the committee chairman may conduct a survey of the membership to determine interest in the new development project. All members of the committee shall have an opportunity to declare that they wish to be members of the consensus body for the standard, or to be an observer of the project, or decline to participate. Failure to reply to the survey will be interpreted as a decline. The consensus body for that standard will consist of those who have expressed interest in participating.

### **6.3 Approval of standards**

Draft standards and any substantive change in the content of a standard proposed by a task force shall be referred to the consensus body 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 task forces, and considering views and objections from any source. Meetings of task forces may be held as decided upon by the members or chair of the task force.

### **7.1 Open meetings**

Meetings of the committee and its task forces 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 posted on the OEOSC web site. 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 posted on the web site in advance of the meeting. The secretariat may optionally maintain a permanent e-mailing list of other interests.

### **7.2 Quorum**

A majority of the voting members of the committee or task force 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 of the consensus body, 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.

An email from the member submitted to the secretariat indicating the position of the member constitutes an acceptable letter ballot.

### **8.1.1 Votes concerning membership**

For votes on membership and officer-related issues, the affirmative/negative/abstain method of voting shall be followed. Votes with regard to these issues need not be accompanied by reasons and need not be resolved or circulated to the consensus body.

### **8.1.2 Vote of alternate**

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

### **8.1.3 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.

### **8.1.4 Voting opportunity**

If a vote on an American National Standard-related action is taken at a meeting, all members of the consensus body will be given the opportunity to vote, even if they cannot attend a meeting.

### **8.1.5 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 notice 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 voting membership of the committee either at a meeting or by letter ballot:

- e) confirmation of officers appointed by the secretariat;
- f) formation of a task force, including its procedures, scope, and duties;
- g) disbandment of task forces;
- h) addition of new committee members and designation of their interest categories;

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 voting membership and at least two-thirds of those voting, excluding abstentions:



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

#### **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 will be relisted in ANSI *Standards Action*.

#### **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 task force; 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 in writing of the disposition of the objection and the reasons therefore. In addition, each objector shall be informed in writing that an appeals process exists within procedures used by the standards developer.

Substantive changes, attempts at resolution, and unresolved objections, shall be reported in written form to the consensus body 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 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) a declaration that the applicable procedures were followed;
- d) a declaration that the proposed standard is within the scope of the previously registered standards activity ;
- e) a declaration that there are no significant conflicts with another American National Standard have been identified or that any identified significant conflict was addressed in accordance with these procedures ;
- f) a declaration that all appeal actions related to approval of the proposed standard have been completed;
- g) a declaration that the criteria contained in the ANSI patent policy have been met, if applicable; and
- h) identification of all unresolved negative views and objections, names of the objector(s), and a report of attempts toward resolution;
- i) a roster of the consensus body that indicates: the vote of each member including abstentions and unreturned ballots, if applicable; the interest category of each member; and a summary thereof

## **10 Discontinuance of a standards project**

ANSI/OEOSC OP may discontinue a standards project by vote of the majority of the committee. Notice of the discontinuance shall be reported on the OEOSC web site and through *Standards Action*.

A written justification for the discontinuance of a standards project shall be made available upon receipt of any written request received by ANSI/OEOSC OP within 60 days of the date of the final action.

Appeals of such actions shall be made to the ANSI Executive Standards Council based on procedural noncompliance.

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

## **12 Communications**

Correspondence of committee officers may be in electronic form if it clearly identifies the credentials of the author.

### **12.1 Formal internal communication**

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

### **12.2 External communication**

Inquiries relating to the committee should be directed in written form, either electronic or on paper, to the secretariat, and members should so inform individuals who raise such questions. All replies to inquiries shall be made in written form through the secretariat.

### **12.3 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 16. ). Revisions to the standard resulting from requests for interpretations shall be processed in accordance with these procedures.

## **13 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.

### **13.1 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.

### **13.2 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.

### **13.3 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.

### **13.4 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.

### **13.5 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.

### **13.6 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.

## **14 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.

## **15 Record Retention**

Records shall be prepared and maintained to provide evidence of compliance with ANSI procedures as outlined in *ANSI Essential Requirements*.—Records concerning new, revised or reaffirmed American National Standards shall be retained for one complete standards cycle, or until the standard is revised.—Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal.

## **16 Interpretation of American National Standards**

Official interpretations of American National Standards that are maintained by ASC OP will be the responsibility of ASC OP. All questions relating to the interpretation of a particular standard should be directed in writing to the Executive Director of the Optics and Electro-Optics Standards Council. The Chairperson will provide the interpretation in writing with the assistance of others on the relevant task force who originally developed the standard. The response will be made directly to the requester within thirty days from the time that the Chairperson receives the request. A copy of the response will be submitted to the OEOSC Executive Director for record retention. Interpretations will be posted on the OEOSC website.

## **17 Withdrawal of an American National Standard**

An American National Standard shall be withdrawn five years following approval, if the standard has not been revised or reaffirmed, unless an extension has been granted by the ANSI Executive Standards Council or its designee. An American National Standard that has not been reaffirmed or revised within the five-year period, and that has been recommended for withdrawal by the ANSI Executive Standards Council or its designee, shall be withdrawn at the close of a 30-day public review notice in *Standards*

*Action.* American National Standards that have not been revised or reaffirmed within ten years from the date of their approval as American National Standards shall be withdrawn and such action shall be announced in *Standards Action*.

### **18 Metric policy**

Units of the International System of Units (SI), the modernized metric system, are the preferred units of measurement in American National Standards developed and maintained by ASC OP.

### **19 Patent policy**

ASC OP subscribes to the ANSI patent policy as listed in the *ANSI Essential Requirements: Due process requirements for American National Standards*.

### **20 Antitrust policy**

ASC OP subscribes to the ANSI antitrust policy as listed in the *ANSI Essential Requirements: Due process requirements for American National Standards*.

### **21 Commercial terms and conditions policy**

ASC OP subscribes to the ANSI Commercial terms and conditions policy as listed in the *ANSI Essential Requirements: Due process requirements for American National Standards*.