

ASC A300

*For Tree Care Operations -
Tree, Shrub, and Other Woody
Plant Management - Standard Practices*

Secretariat

TREE CARE INDUSTRY ASSOCIATION

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ANSI-accredited Standards Committee A300 (ASC A300) Policies and Standards Development Procedures Draft 6 Version 2

1 ASC A300 mission and vision

1.1 Mission: To develop consensus performance standards for the professional management of trees, shrubs and other woody plants.

1.2 Vision: ANSI A300 standards will be the foundation for work specifications, training materials, quality protocols, and regulations for the management of trees, shrubs, palms, and other woody plants.

2 Scope of ASC A300

Development of standard requirements and recommendations – as well as definitions and supporting information – for tree care management operations affecting trees, shrubs, and other woody plants.

3 ANSI Accreditation

The current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) shall be followed in order to maintain accreditation for the ANSI-accredited Standards Committee A300.

4 Record retention policy

4.1 The secretariat, TCIA, shall retain records to demonstrate ASC A300's compliance with all aspects of the current version of *ANSI Essential Requirements: Due Process Requirements for American National Standards*. Specifically, subclause 3.3.1,

Option 1 shall be the record retention option: “Records shall be retained for one complete standards cycle, or until the standard is revised.”

4.2 Records concerning withdrawals of ANSI A300 Standards shall be retained for at least five years from the date of withdrawal or for a duration consistent with the audit schedule.

5 Interpretation policy

5.1 Written inquiries requesting interpretation of the ASC A300’s approved American National Standards shall be responded to in accordance with this policy. Revisions to the standard resulting from requests for interpretations shall be processed in accordance with the procedures in Section 8.

5.2 The interpretation will be reviewed under the direction of the chair in cooperation with the secretary.

5.2.1 If the chair and the secretary agree that an interpretation is not required, they shall notify the consensus body of their decision along with the written request for the interpretation.

5.2.2 If the chair and the secretary agree that an interpretation is necessary, the chair and secretary will draft a written interpretation and response.

5.3 The interpretation and response shall be reviewed and approved by a two-thirds majority of the consensus body at the meeting following the receipt of the written request.

5.4 A written response of the interpretation or an official decline to interpret shall be provided to the requestor.

5.5 Interpretations should be posted to TCIA website, published in the subsequent revision of the standard for which the interpretation pertains, and made available for trade publications.

6 Metric, Patent, and Commercial policies

6.1 Metric policy

6.1.1 All standards developed by the ASC A300 shall provide International System of Units (SI), the modernized metric system, in parentheses, next to standard measurements.

6.1.2 Forward and Annex sections of standards developed by the ASC A300 should provide International System of Units (SI), the modernized metric system, in parentheses, next to standard measurements.

6.2 Patent policy

6.2.1 The ASC A300 should not adopt terms that will require the use of patented items in order to be compliant with an A300 standard. When terms that include the use of an essential patent claim (one whose use would be required for compliance with an A300 standard) are considered they shall only be included when technical reasons justify this approach.

6.2.2 If TCIA and ASC A300 receives a notice that a proposed ANS or an approved ANS may require the use of such a patent claim, the procedures and requirements outlined in the current version of *ANSI Essential Requirements: Due process requirements for American National Standards* subclause 3.1 *ANSI patent policy - Inclusion of Patents in American National Standards* shall be followed.

6.3 Commercial terms and conditions policy

TCIA, the ASC A300, and ANSI standards developed by the consensus body shall comply with the current version of ANSI's commercial terms and conditions policy, as outlined in *ANSI Essential Requirements: Due process requirements for American National Standards*, subclause 3.2 *Commercial terms and conditions*.

7 Procedures for due process

7.1 General

TCIA and the ASC A300 shall meet the requirements for due process and development of consensus for approval of American National Standards outlined in the current version of *ANSI Essential Requirements: Due process requirements for American National Standards*.

7.2 Organization of the ASC A300

The ANSI-accredited Standards Committee A300 (ASC A300) shall consist of a consensus body and a secretariat. The ASC A300 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 in accordance with the current version of [*ANSI Essential Requirements: Due process requirements for American National Standards*](#).

7.3 Responsibilities

7.3.1 ASC A300 Consensus Body

The consensus body shall be responsible for:

- a) Accepting/initiating new American National Standards within the scope of the ASC A300;
- b) Voting on approval of proposed American National Standards within the scope of the ASC A300;
- c) Maintaining the standards developed by the ASC A300 in accordance with *ANSI Essential Requirements: Due process requirements for American National Standards* and ASC A300 procedures;
- d) Following ASC A300 policy and procedures for interpretations of the standard(s) developed by the consensus body (see section 5);
- e) Responding to requests for interpretations of the standard(s) developed by the consensus body (see section 5);
- f) Adopting ASC A300 procedures and revisions thereof; and,
- g) Other matters requiring consensus body action as provided in these procedures.

7.3.2 Secretariat

The secretariat shall be responsible for:

- a) Applying for ASC A300 accreditation by ANSI and maintaining accreditation in accordance with ANSI requirements, including submission of the consensus body roster;
- b) Overseeing the consensus body's compliance with these procedures;
- c) Maintaining a roster of the consensus body and a list of standards for which the consensus body is responsible;
- d) Providing a secretary to perform administrative work, including secretarial services; preparation of meeting notices and the handling of meeting arrangements; preparation and distribution of meeting agendas, minutes, ballots, and draft standards; and maintenance of adequate records;
- e) Submitting candidate standards approved by the consensus body, with supporting documentation, for ANSI review and approval as American National Standards; and,
- f) Performing other administrative functions as required by these procedures;
- g) Legal review, pre-press technical editing and layout, publication, marketing and distribution of ANSI A300 standards.

7.4 Officers

There shall be a chair and a vice-chair appointed by the secretariat from the individual members or representatives of the consensus body, subject to approval by majority vote of the consensus body. Each shall be appointed for a three year term. The secretariat may appoint the chair for an additional, consecutive three year term. 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.

7.5 Membership

Members of the consensus body shall consist of organizations, companies, individuals and government agencies that have a direct and material interest in the activities of the ASC A300 and can demonstrate that they have the ability to provide a broad, diverse, and national perspective to the ASC A300. The selection and addition of members, along with their interest category, shall be subject to approval by a majority vote of the consensus body after the application has been processed in accordance with 7.5.1, and by approval of the secretariat. The termination of members shall be subject to approval by majority vote of the consensus body, and by approval of the secretariat, after a review of the membership in accordance with subclause 7.5.2.

7.5.1 Application

A request for membership on the consensus body shall be addressed to the secretariat and shall indicate the applicant's direct and material interest in the ASC A300's work, qualifications, scope of representation, and willingness to participate actively. In addition, a representative shall be identified (and an alternate, if desired).

7.5.1.1 Recommendation

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

- a) Need for active participation based on the degree to which the interest is directly and materially affected by the ASC A300 standards activity;
- b) Potential for dominance by a single interest category, organization, or individual during the standards development process;
- c) Need for TCIA and ASC A300 to maintain a balance of interest categories according to *ANSI Essential Requirements: Due process requirements for American National Standards* criteria for balance and subclause 7.5.4 of this procedure;
- d) Extent of interest expressed by the applicant and the applicant's willingness to participate actively;
- e) The representative and qualifications of the representative identified by the applicant organization, company, or government agency; and,
- f) The scope of representation that will be provided by the applicant.

7.5.1.1.1 In addition, the secretariat shall consider individual applicants:

- a) Proof of broad, diverse, national perspective and industry experience;
- b) Advanced qualifications and industry experience such as member of academic faculty in Arboriculture, Urban Forestry or related field or other related advanced qualifications; and,

c) Stated reasons why representation by current ASC A300 members or other eligible organizations, companies, individuals, or government agencies does not provide adequate representation on ASC A300 for the applicant.

7.5.1.2 Diverse interests

If distinct divisions of an organization demonstrate independent interests and authority to make independent decisions in the area of the activity of the ASC A300, each should be permitted to apply for membership.

7.5.1.3 Combined interest

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

7.5.2 Review of membership

The secretariat shall review the consensus body membership list annually with respect to the criteria of Clause 7.5. 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 consensus body for appropriate action, which may include termination of membership. Exception: Observers and individual experts, even when representing member organizations, are exempt from subclause 7.5.2.

7.5.3 Observers

Organizations, companies, and government agencies having an interest that is national in scope in the ASC A300's work may request membership as non-voting observers. Observers shall receive all drafts and versions of ASC A300 standards, shall receive all meeting notices and agendas, may attend meetings, and may submit comments for consideration, but shall have no vote.

7.5.3.1 The secretariat shall appoint observers.

7.5.3.2 The ASC A300 may nominate observers for consideration by the secretariat.

7.5.3.3 The ASC A300 may appeal appointments made by the secretariat.

7.5.3.4 Former ASC A300 chairs shall be appointed as observers by the secretariat, when the appointment is accepted by the former chair.

7.5.3.5 Existing voting members should nominate potential new representatives for appointment as observers for the purpose of training and orientation.

7.5.4 Subject matter experts

Individuals who are technical experts may request appointment as non-voting subject matter experts. Subject matter experts shall receive all drafts and versions of ASC A300 standards, shall receive all meeting notices and agendas, may attend meetings, and may submit comments for consideration, but shall have no vote.

7.5.4.1 The chair and secretariat shall appoint subject matter experts in consensus.

7.5.4.2 The ASC A300 may nominate subject matter experts to the chair and secretariat.

7.5.4.3 The ASC A300 may appeal appointments made by the chair and secretariat.

7.5.5 Interest categories

The interest categories, and limit of members for each, shall be established or revised by a vote of the consensus body. The rationale for the selection of categories shall be included in the consensus body ballot and submitted to ANSI as part of the accreditation requirements. TCIA and ASC A300 shall maintain membership interest categories in compliance with *ANSI Essential Requirements: Due process requirements for American National Standards* criteria for balance. The current interest categories are:

- a) Producer:** Materially-affected green/land care industry vendors and trade associations (C6) or agencies that represent vendors (limit 2 members).
- b) User – Private Sector:** Materially-affected green/land care industry private businesses (limit 5 members).
- c) User – Trade Association:** Materially-affected green/land care industry business organizations and associations whose primary membership base are private companies (C6 – corporate votes) (limit 3 members).
- d) User – Public Sector:** Materially-affected government agencies or organizations representing government agencies or organizations representing professionals who work for those agencies (limit 2 members).
- e) General Interest – Professional Society:** Materially-affected members of green/land care industry professional organizations and societies whose primary membership base are individual professionals (C5 – individual votes) (limit 5 members).
- f) General Interest – Environment:** Materially-affected organizations or agencies that have directly-related environmental and/or resource concerns (limit 2 members).
- e) General Interest – Community/Consumer:** Materially-affected organizations or agencies that represent community and/or consumer groups that use and/or promote ANSI A300 standards (limit 2 members).

7.5.6 Member representative term limits

Member organizations, associations, and agencies shall establish and submit a protocol for selecting and maintaining representatives and alternates with appropriate industry experience. To do this, ASC A300 recommends that each member should establish a term limit and succession plan for their representatives and alternates.

7.5.7 Membership roster

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

- a) Full title of ASC A300;
- b) Scope of the ASC A300;
- 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);
- f) Interest category of each member;
- g) Tally of interest categories: totals of voting members and subtotals for each interest category; and,
- h) For each subgroup: title, chair, and names and addresses of all members (if not contained elsewhere in the roster).

7.5.8 Subgroups created by ASC A300

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

7.5.8.1 ASC A300 subgroups shall be charged with the following duties:

- a) Research technical issues within the scope of the subgroup;
- b) Draft working documents (pre-drafts); and,
- c) Presenting working documents to the consensus body for approval as an official draft.

7.5.8.2 Chairperson and members of subgroups

The chair and members of a subgroup shall be appointed by the chair of the consensus body and confirmed by the consensus body. The scope, duties, and membership of all

subgroups shall be reviewed by the consensus body annually. The officers and members of a subgroup need not be members of the consensus body.

7.5.8.3 Subgroup responsibilities

ASC A300 subgroups shall not: approve new projects; approve working documents as official draft standards; draft standards for public review; or draft standards for ANSI approval.

7.6 Meetings

ASC A300 meetings shall be held, as decided upon by ASC A300, 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.

7.6.1 Open meetings

ASC A300 meetings (including those of subordinate bodies) shall be open to all members and others having a direct and material interest. At least four weeks' notice of regularly scheduled meetings of ASC A300 shall be given in media designed to reach directly and materially affected interests. 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 maintain a mailing list of other interests.

7.6.2 Quorum

A majority of the members of the consensus body shall constitute a quorum for conducting business at a meeting. If a quorum is not present, actions shall only be taken subject to subsequent confirmation by letter ballot or vote at a future meeting.

7.7 Notification of standards development and coordination

Notification of standards activity shall be announced by TCIA and ASC A300 members in suitable media, including industry publications and websites, as appropriate to demonstrate the opportunity for participation by all directly and materially affected persons.

7.7.1 Project Initiation Notification (PINS)

At the initiation of a project to develop or revise an American National Standard, notification shall be transmitted to ANSI using the Project Initiation Notification System

(PINS) form, or its equivalent, for announcement in *Standards Action* according to the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) as outlined in subclause 2.5.1 *Project Initiation Notification (PINS)*, including 2.5.1.1 *PINS Exceptions*, 2.5.1.2 *Assertions of conflict or duplication*, and 2.5.1.3 *PINS Deliberation Report*.

7.7.2 Public review

Proposals for new American National Standards and proposals to revise, reaffirm, or withdraw approval of existing American National Standards shall be transmitted to ANSI using the BSR-8 form, or its equivalent, for listing in *Standards Action* in order to provide an opportunity for public comment according to the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) as outlined in subclause 2.5.2 *Public Review*.

7.7.3 Consideration of views and objections

Prompt consideration shall be given to the written views and objections of all participants, including those commenting on the PINS announcement or public comment listing in *Standards Action*.

In connection with an objection articulated during a public comment period, or submitted with a vote, an effort to resolve all expressed objections accompanied by comments related to the proposal under consideration shall be made, and each such objector shall be advised in writing (including electronic communications) of the disposition of the objection and the reasons therefor. If resolution is not achieved, each such objector shall be informed in writing that an appeals process exists within procedures used by the standards developer.

In addition, each objection resulting from public review or submitted by a member of the consensus body, and which is not resolved (see definition) must be reported to the ANSI BSR. When this process is completed in accordance with the written procedures of the ASC A300 procedures, the standards developer may consider any comments received subsequent to the closing of the public review and comment period, or shall consider them in the same manner as a new proposal.

Timely comments that are not related to the proposal under consideration shall be documented and considered in the same manner as submittal of a new proposal. The submitter of the comments shall be so notified.

Each unresolved objection and attempt at resolution, and any substantive change made in a proposed American National Standard, shall be reported to the consensus body in order to afford all members of the consensus body an opportunity to respond, reaffirm, or change their vote (see subclause 7.9.1.1).

7.7.3.1 In the event that substantive changes are made to the draft after public review, an additional BSR-8 submittal for an additional public review period shall be established.

7.8 Voting

7.8.1 Evidence of consensus and consensus body vote

Evidence of consensus in accordance with the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) as outlined in subclause 2.7 shall be documented. Consensus is demonstrated, in part, by a vote of the consensus body.

7.8.2 Vote

The consensus body vote shall be conducted and reported in accordance with the rules set forth herein. Votes for the approval of a document or portion thereof as a candidate ANS may be obtained by letter, fax, recorded votes at a meeting or electronic means. All members of the ASC A300 shall have the opportunity to vote. When recorded votes are taken at meetings, members who are absent shall be given the opportunity to vote before or after the meeting.

7.8.2.1 TCIA or ASC A300 shall not change a vote unless instructed to do so by the voter. If the change of vote was not submitted in writing by the voter, then written confirmation of such a vote change shall be provided to the voter by the developer. It is never appropriate for TCIA or ASC A300 to inform voters that if they are not heard from, their negative vote will be considered withdrawn and their vote will be recorded as an abstention or an affirmative. All negative votes that are not changed at the request of the voter shall be recorded and reported to the BSR as unresolved negatives by TCIA.

7.8.2.1.1 TCIA shall maintain records of evidence regarding any change of an original vote, including recirculation ballots, see subclause 7.8.2.1.

7.8.2.2 Except in regard to votes on membership and officer-related issues, 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); or,
- d) Abstain.

7.8.2.2.1 For votes on membership and officer-related issues, the yes/no/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 ASC A300.

7.8.2.3 Negative votes, unresolved objections and recirculation ballots

TCIA and ASC A300 shall record and consider all negative votes accompanied by any comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential conflict or duplication of the proposed standard with an existing American National Standard and negative votes accompanied by comments of a procedural or philosophical nature. These types of comments shall not be dismissed due to the fact that they do not necessarily provide alternative language or a specific remedy to the negative vote.

7.8.2.3.1 Negative votes relating to the proposal under consideration, with detail of the comment (unresolved objection) shall be reported to ASC A300 along with attempts at resolution via a recirculation ballot in order to afford all members an opportunity to respond to them and/or to reaffirm or change their votes within three weeks.

7.8.2.3.2 Negative votes not related to the proposal under consideration or negative votes submitted without comments

TCIA and ASC A300 shall handle negative votes not related to the proposal under consideration or negative votes submitted without comments in accordance with the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) as outlined in subclause 2.7.

7.8.2.4 Vote of alternate

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

7.8.2.5 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 consensus body, excluding the vote of that individual.

7.8.2.6 Ballots

7.8.2.6.1 Authorization of ballots

A ballot shall be authorized by any of the following:

- a) Majority vote of those present at an ASC A300 meeting;
- b) The chair;
- d) TCIA; or,

e) Petition of five or more members of ASC A300.

7.8.2.6.2 Meeting ballots

The voting period for meeting ballots shall begin 30 days prior to the end date of the upcoming meeting or as soon as the vote is confirmed as an item in the meeting agenda. Members who do not plan to attend may cast their vote before the meeting, during the meeting, or after the meeting as long as the vote is cast before the voting period ends. The voting period for meeting ballots shall end 30 days from the date of initiation or as soon as all ballots are returned. An extension may be granted at the chair's or secretary's option, when warranted.

7.8.2.6.2.1 Only electronic ballots, issued with the meeting agenda, meeting minutes, or through other follow-up correspondence or paper ballots, issued during the meeting, shall be accepted. Ballots shall indicate vote according to subclause 7.8.1.

7.8.2.6.3 Letter ballots

The voting period for letter ballots shall end 30 days from the date of issue or as soon as all ballots are returned. An extension may be granted at the chair's or secretary's option, when warranted.

7.8.2.6.4 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 10 working days before the ballot closes.

7.8.2.6.5 Actions requiring approval by a majority

The following actions require approval by a majority of the membership of the consensus body either at a meeting or by ballot, not including abstentions:

- a) Confirmation of officers appointed by the secretariat;
- b) Formation of a subgroup, including its procedures and scope;
- c) Disbandment of subgroups;
- d) Addition of new consensus body members and designation of their interest categories; or,
- e) Approval of withdrawal of an existing standard.

7.8.2.6.6 Actions requiring approval by two-thirds of those voting

The following actions require a ballot with approval by at least a majority of the membership (counting abstentions) and at least two-thirds of those voting (not counting abstentions):

- a) Adoption of ASC A300 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; or,
- d) Approval for submission to ANSI of change of ASC A300 scope.

7.8.2.7 Report of final result

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

7.9 Approval of actions in connection with American National Standards

Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by TCIA. The content and timing of information supplied to ANSI by the secretariat shall be in accordance with the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) subclause 4.2 *Approval of actions in connection with American National Standards*.

7.9.1 Criteria for withdrawal or discontinuance of an ANSI A300 standard or standard project

Actions for withdrawal of an ANSI A300 standard or discontinuance of a standard project shall be in accordance with the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) subclause 4.2.1.3 *Criteria for withdrawal*.

7.11 Communications

Official correspondence of ASC A300 officers should be on “ASC A300 correspondence” letterhead.

7.11.1 Formal internal communication

If correspondence between subgroup or between working groups of different subgroups involve issues (i.e., non-routine matters) affecting other subgroups, copies shall be sent to all affected subgroup chairs, the secretariat, and the consensus body officers.

7.11.2 External communication

Inquiries relating to the ASC A300 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.

7.12 Appeals

The provision for appeals is important for the protection of directly and materially affected interests and of TCIA and ASC A300 and is required as a part of due process. TCIA and ASC A300 shall address appeals in accordance with the current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#) subclause 2.8 *Appeals*.

Persons who have directly and materially affected interests and who have been or will be adversely affected by any procedural action or inaction with regard to the development of a proposed American National Standard or the revision, reaffirmation, or withdrawal of an existing American National Standard by the ASC A300 or TCIA, the ASC A300 secretariat, have the right to appeal. Procedural complaints include whether a technical issue was afforded due process, but do not include technical issues. The appellant shall meet all appeals obligations, time deadlines and has the burden of proof to show adverse effect. The respondent shall meet its obligations and time deadlines.

7.12.1 Appeals Fee

An appeals fee of \$95 shall be paid to TCIA upon filing of an appeal. Materially affected interests who claim hardship can request a waiver or reduction by detailing the hardship and need for the reduction or waiver with TCIA at the time that the appeal is sent to TCIA. Detail and/or proof of hardship shall be included with the request.

7.12.2 Complaint

The appellant shall file a written complaint with the secretariat within 30 days after the date of notification of action or at any time with respect to inaction. The complaint shall include the appeals fee (or waiver, reduction request), state the nature of the objection(s) including any adverse effects, the clause(s) of these procedures or the standard that is 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.

7.12.3 Response

Within 30 days after receipt of the complaint, the respondent (chair, TCIA representative, or designated ASC A300 member) shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint to the extent of the respondent's knowledge.

7.12.4 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 conference call or Internet hearing with the appellant and an appeals panel on a date

agreeable to all participants, but not more than 30 days after the respondent's response is delivered to the appellant and giving at least seven working day notice. The appellant shall be responsible for all costs related to telephone charges, Internet access or other technology needed to attend the hearing and for responding to the appeals hearing deadline in a timely manner and within the 30 day timeframe. The appeals panel shall consist of three individuals who are not directly, materially affected by the specific appeal issue. One member must be agreeable to the appellant. One panel member must be agreeable to the respondent.

7.12.4.1 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 consensus body 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 the other's pertinent arguments and members of the appeals panel. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure for the hearing not covered herein. The hearing shall not last more than two hours in duration.

7.12.5 Decision

The appeals panel shall render a decision to the appellant in writing within seven days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence presented at the hearing. Consideration shall be given to the following positions, among others, in formulating the decision:

- a) Finding for the appellant, remanding the action to the consensus body 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.

7.12.6 Appeals abandonment

The appellant has the responsibility of meeting obligations and timeframes related to the appeal. In the event that the appellant does not meet obligations and timeframes, TCIA shall inform the appellant in writing that the appeal is abandoned and the appeal fee is forfeited.

7.13 Parliamentary procedures

7.13.1 *Robert's Rules of Order* (latest edition) shall be followed when the ASC A300 votes on the following items:

- a) Adoption of ASC A300 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; and,
- d) Approval for submission to ANSI of change of ASC A300 scope.

7.13.2 The principles of consensus shall be followed at all other times. The ASC A300 recognizes the following categories of consensus:

- 1. Strongly agree;
- 2. Agree;
- 3. Agreement with some concerns as expressed to other ASC A300 members;
- 4. Not in agreement, but willing to accept consensus of other ASC A300 members; and,
- 5. Not in agreement and cannot accept consensus of other ASC A300 members.

Annex A: Definitions

A-1 Consensus: Consensus means substantial agreement has been reached by directly and materially affected interests. This signifies the concurrence of more than a simple majority, but not necessarily unanimity. Consensus requires that all views and objections be considered, and that an effort be made toward their resolution.

A-2 Current version of [ANSI Essential Requirements: Due process requirements for American National Standards](#): The most recent version of the requirements as indicated by the date designation, in most years there is an annual updated provided by ANSI in January. Changes of requirements in the most recent version will be reviewed and automatically incorporated into ASC A300 procedures where noted, even when clause and subclause numbers are changed.

A-3 Resolved: A negative vote cast by a member of the consensus body or a comment submitted as a result of public review where the negative voter agrees to change his/her vote or the negative commenter accepts the proposed resolution of his/her comment.

A-4 Substantive Change: A substantive change in a proposed American National Standard is one that directly and materially affects the use of the standard. Examples of substantive changes are below:

- “shall” to “should” or “should” to “shall”;
- addition, deletion or revision of requirements, regardless of the number of changes;
- addition of mandatory compliance with referenced standards.

A-5 Unresolved: Either (a) a negative vote submitted by a consensus body member or (b) written comments, submitted by a person during public review expressing disagreement with some or all of the proposed standard, that have not been satisfied and/or withdrawn after having been addressed according to the developer’s approved procedures.