



Institute for  
Credentialing Excellence

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# Standards Development and Maintenance Policies

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*Established in 1977, the Institute for Credentialing Excellence (I.C.E.) is the leader in setting quality standards for credentialing organizations. Through its annual conference, regional seminars, and publications, I.C.E. serves its membership as a clearinghouse for information on the latest trends and issues of concern to practitioners and organizations focused on certification, licensure, and human resource development.*

### **I.C.E.'s MISSION**

*I.C.E. promotes excellence in credentialing worldwide. We accomplish our mission through services such as:*

- *Education*
- *Research*
- *Advocacy*
- *Accreditation*
- *Standards*

These Policies are subject to revision.  
Contact I.C.E. to confirm this revision is current.

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Institute for Credentialing Excellence (I.C.E.) -----

## **Standards development and maintenance policies**

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Institute for Credentialing Excellence

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# Institute for Credentialing Excellence

## Standards development and Maintenance policies

### 1 General

These Policies are used in the development of Institute for Credentialing Excellence (I.C.E.) voluntary consensus national standards. These Policies are consistent with the requirements of the American National Standards Institute (ANSI) *Essential Requirements: Due Process Requirements for American National Standards*<sup>1</sup>. In addition, these Policies are consistent with the OMB A-119 *Federal Participation in the Development and Use of Voluntary Standards*.<sup>2</sup> ICE Standards are intended to be consistent with government regulations and codes, when they exist. ANSI procedures referenced in these Policies may not be applicable when the I.C.E. Standard is not intended to be an American National Standard.

#### 1.1 Definitions

**Consensus:** Substantial agreement by directly and materially affected interests that signify the concurrence of more than a simple majority but not necessarily unanimity. It requires that all views and objections be considered and that an effort be made toward their resolution.

**Main Committee:** The consensus body responsible for development and revision of any I.C.E. Standard(s).

**Standing Committee:** A group appointed by the Main Committee Chair to provide ongoing functional support to the Main Committee (e.g. editorial, interpretation).

**Secretariat:** the Institute for Credentialing Excellence .

**Task Group:** A group appointed by the Main Committee Chair to address a specific issue within a Standard.

### 2 Openness

Participation in the I.C.E. standards process shall be open to all persons who are directly and materially affected by the standard. These Policies are written in a manner to ensure there are no undue financial barriers to participation, and participation is not conditional upon membership in any organization, nor unreasonably restricted on the basis of technical qualifications or other such requirements.

Participation is available through membership on committees and task groups, by meeting invitation, or by public review and comment.

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<sup>1</sup> American National Standards Institute, 25 West 43rd Street, New York, NY 10036

<sup>2</sup> Office of Management and Budget, U.S. Department of Commerce, Washington, DC, 20230.

Timely and adequate notices of any action to create, revise, reaffirm, or withdraw a standard, and the establishment of a new consensus body shall be provided to all known directly and materially affected interests. Notice shall include a clear and meaningful description of the purpose of the proposed activity and shall identify a readily available source for further information. In addition, the name, affiliation, and interest category of each member of the consensus body shall be made available to interested parties upon request.<sup>3</sup>

### **3 Committee structure**

#### **3.1 Committees**

##### **3.1.1 Main Committee**

The Main Committee is the consensus body and shall be responsible for the following, except with respect to the autonomous decisions of the NCCA on its accreditation Standards and other accreditation matters<sup>4</sup>:

- proposing I.C.E. Standards consistent with ICE's mission;
- voting on approval of proposed I.C.E. Standards;
- maintaining standards in accordance with these Policies;
- responding to requests for interpretation of ICE Standards within its scope of activity;
- proposing additional policies and procedures to the Secretariat appropriate to its scope of activity as permitted within these Policies; and
- other matters requiring consensus body action as provided in these Policies.

##### **3.1.2 Standing committees**

###### **3.1.2.1 Editorial Committee**

The Main Committee Chair shall select from members of the committee an Editorial Committee. The Editorial Committee is responsible for ensuring draft standards are editorially accurate prior to issuance of the final approved standard and edits are made in accordance with Section 14 of these Policies.

###### **3.1.2.2 Interpretation Committee**

The Interpretation Committee shall be comprised of the Main Committee Chair along with a representative from each interest category appointed by the Main Committee Chair. The Interpretation Committee is responsible for handling interpretation requests in accordance with Section 12 of these Policies.

###### **3.1.2.3 Other**

Other standing committees may be formed at the discretion of the Main Committee Chair.

##### **3.1.3 Task groups**

If deemed appropriate by the Main Committee Chair, Task Groups may be formed to address a specific issue. Task Groups are responsible for providing recommendations to the Main

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<sup>3</sup> Contact information may not be provided

<sup>4</sup> The Main Committee may make advisory recommendations to the NCCA on the NCCA's accreditation Standards, but, consistent with the I.C.E. Bylaws, the NCCA shall have autonomy and independence in relation to all essential accreditation decisions.



Committee responsible for the standard(s) impacted by the recommendation. Task Groups are not governed by the rules of balance or consensus as defined in these Policies.

### **3.2 Secretariat**

I.C.E. shall be the Secretariat and shall be responsible for:

- overseeing compliance with these Policies;
- maintaining a roster of Main Committee membership and maintaining a list of standards assigned to each Main Committee;
- providing administrative services to the Main Committee Chairs in assisting them in performing their duties;
- nominating officers for the initial formation of Main Committees;
- submitting documentation to ANSI, when required;
- documenting actions and decisions made by the Main Committee;
- distributing documents relevant to the business of the Main Committee; and
- performing other functions as required by these Policies.

The Secretariat is not a voting member of the committee.

### **3.3 Officers**

#### **3.3.1 Main Committee Chair**

The Main Committee Chair shall be selected by the Chair of the I.C.E. Board and serve one-year terms.

The Main Committee Chair shall be responsible for:

- managing the Main Committee meetings in a manner that is efficient and in compliance with these Policies;
- completing Main Committee responsibilities in a timely manner, including reviewing drafts for ballot;
- providing a liaison role with other Main Committees;
- adjudicating all views and objections encountered in the balloting and public review processes;
- representing the Main Committee in appeal actions; and
- performing other functions as required by these Policies or by request of the Main Committee membership.

The Chair shall be a nonvoting member of the Main Committee except where necessary to determine a decisive vote.

#### **3.3.2 Main Committee Vice Chair**

The Vice Chair is selected by the Chair of the I.C.E. Board and shall assume the responsibilities of the Chair in the Chair's absence. The Vice Chair shall serve a one-year term.

#### **3.3.3 Standing committees and task groups**

Standing Committee and Task Group Chairs shall be selected by the Main Committee Chair.

### **3.4 Members**

Members shall be responsible for:



- participating actively at meetings and reviewing documents;
- returning ballots within prescribed deadlines;
- advising the appropriate Chair when a change in employment may impact the member's interest category;
- providing technical expertise;
- abiding by the I.C.E.'s antitrust policies; and
- conducting themselves in a manner that is courteous, respectful, and consistent with the principles of the consensus process.

## 4 Committee membership

### 4.1 Application

Any directly and materially affected person may apply for membership by completing an application and submitting the application to the Secretariat. The Secretariat shall forward membership applications to the responsible Chair, who determines eligibility. Participation shall not be conditional upon membership in any organization, including I.C.E., or unreasonably restricted on the basis of technical qualifications or other such requirements.

Applicants shall define their direct and material interests in the scope of activities covered by the committee, qualifications, willingness to participate actively, and indicate their interest category.

All memberships are based on the experience and expertise of the individuals and are not "company" memberships and therefore are not transferable. Applicants not accepted may have their application maintained on file by the Secretariat for consideration by the responsible Chair when openings occur.

### 4.2 Selection and recommendation

In reviewing the application, the Chair of the applicable committee or group shall consider the following:

- need for active participation by each interest category;
- potential of dominance or imbalance by a single interest category;
- extent of organization or company support on behalf of the applicant; and
- committee size.

The Main Committee shall have a balance of interests. Members from diverse interest categories shall be sought with the objective of balance. The process shall not be dominated by any single interest category, individual, or organization. Dominance shall mean a position or exercise of dominant authority, leadership, or influence by reason of superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints. No single interest category shall constitute a majority of the membership of a consensus body.

The requirement for balance shall not apply to Standing Committees or Task Groups.

### 4.3 Term and committee size

Main Committee and Standing Committee members are requested to serve a minimum one-year term. The Main Committee Chair has the authority to limit the size of the Main Committee to ensure efficiency while still maintaining balance.

### 4.4 Membership interest categories



Committee membership shall include persons directly and materially affected by the standard(s) under the scope of the committee. Voting membership on the Committee is not conditional on being a member of I.C.E.. The Committee Chair may appoint non-voting liaisons to the Committee. A non-voting liaison receives all Main Committee materials and may perform duties expected of Main Committee members with the exception of voting and making motions. Directly and materially affected may be defined by the membership interest categories below:

- User/Consumer: A member who purchases, uses, or specifies materials, products, systems, or services covered in the scope of the standard. User/consumer association representatives, third-party accreditation organizations, and standards developers are included in this membership classification.
- Provider: A member, who produces, assembles, distributes, or sells materials, products, systems, or services covered in the scope of the standard. Trade association representatives are included in this membership classification.
- Government: A member who is from a public agency (local, regional, state, federal, or international) or represents a professional organization of government members, academia, or a model code organization.
- General Interest: A member who does not fall under the other three categories but has demonstrated a direct and material interest in the standard.

The interest categories appropriate to the development of consensus in any given standards activity are a function of the nature of the standards being developed. Main Committees may determine that additional or different interest categories are appropriate for the Committee's scope of activity. Changes in interest category designations shall be approved by a majority of the Main Committee. Interest categories shall be discretely defined, cover all materially affected parties and differentiate each category from the other categories. Committee members shall be advised if their interest category has been changed and be given the opportunity to agree or disagree with the change.

#### **4.5      Review of membership**

Member attendance and voting records shall be reviewed by the Committee Chair at least on an annual basis. A Main Committee member may be terminated if he/she has completed two one-year terms or is considered inactive, i.e., fails to return ballots on two consecutive issues and/or misses two consecutive meetings. A Main Committee member whose change in employment affects his/her voting interest may also be terminated. Standing Committee and Task Group memberships may be terminated at the discretion of the responsible Chair.

#### **4.6      Observers and experts**

Observers are permitted at all meetings at the discretion of the responsible Chair and shall be given a non-transferable invitation by that Chair when their request to attend is approved. Individual experts may be invited to address a committee on technical matters.

#### **4.7      Membership roster**

A current membership roster for each Main Committee, Standing Committee and Task Group containing all pertinent member contact information, interest category, and affiliation shall be maintained by the Secretariat of that group and supplied to the Secretariat. The membership roster shall be available to group members upon request. Member names, interest category and affiliation are available to the general public upon request.

#### **4.8      Proxies**



A committee or task group member may be represented by a proxy at a meeting if unable to attend or participate. A signed statement from the member not in attendance authorizing a designated proxy shall be provided to the Chair prior to the meeting, unless otherwise provided in these Policies.

## **5 Standards development project initiation**

### **5.1 New Standards Projects**

**5.1.1** New standards projects intended to result in the development of a new standard shall be approved by the I.C.E. Board prior to proceeding with the initiation of the project.

**5.1.2** New standards projects intended to result in the revision to an existing I.C.E. standard shall be handled by the Main Committee responsible for the maintenance of the standard.

### **5.2 Project initiation notification system**

**5.2.1** 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. Notification shall also be placed on the I.C.E. website. The notice shall be posted for a minimum of thirty (30) days. The announcement shall include at a minimum: an explanation of the need for the project; and identification of the stakeholders likely to be directly impacted by the standard.

**5.2.2** Prompt consideration shall be given to all expressed views and objections received during public review processes. A concerted 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.

**5.2.3** If the comments received during the public review period assert that a proposed standard duplicates or conflicts with an existing American National Standard (ANS) or candidate ANS that has been announced previously in *ANSI Standards Action*, I.C.E. will attempt to work out any issues with the commenter. If resolution cannot occur, ICE will work make a good faith effort to work with the commenter to hold deliberations among the directly impacted stakeholders within 90 days from the comment deadline. The results of the deliberations, if held, shall be documented in writing with concurrence from the commenter and submitted to the ANSI Board of Standards Review at the time the candidate standard is submitted for ANSI approval. I.C.E. shall not submit a draft standard to ANSI for public review until such time that the most current requirements contained in clause 2.5.1 (and its subsections) of the *ANSI Essential Requirements* have been fulfilled.

**5.2.4** Directly and materially affected interests may request a new standard project or revision to a standard at any time. The party shall submit a request for a revision to the appropriate Main Committee Chair. The Chair shall decide to forward to the Main Committee for review or hold until the routine review cycle of the standard.

**5.2.5** A directly and materially affected interest may request the development of a new standard to the Secretariat if the scope of the new standard is not covered by an existing Main Committee.

### **5.3 Discontinuance of a proposal**

The Secretariat may decide to abandon the processing of a proposed new or revised American National Standard or portion thereof at its own discretion and without a vote of the Main Committee. The Secretariat shall notify ANSI immediately of such actions which will be announced in *Standards Action*.

### **5.4 Public review of draft standards**

**5.4.1** Draft standards and proposed revisions to existing standards shall be put out for public review through placement on the I.C.E. website. The public review process may occur either at the same time the Main Committee ballot is occurring or following the Main Committee ballot.

**5.4.2** Proposals for new American National Standards (ANS) and proposals to revise, reaffirm or withdraw approval of an existing ANS shall be submitted to ANSI for listing in ANSI *Standards Action* in order to provide an opportunity for public comment.

**5.4.3** The comment period shall be one of the following:

- A minimum of thirty (30) days if the full text of the revision(s) can be published on the *I.C.E. website* and ANSI *Standards Action*;
- A minimum of forty-five (45) days if the document is available in an electronic format, deliverable within one day of a request, and the source (e.g., URL or an E-mail address) from which it can be obtained by the public is provided in the public announcements.; or
- a minimum of sixty (60) days, if neither of the aforementioned options is applicable.

**5.4.4** Any substantive change resulting from the public review process shall be resubmitted for public review.

### **5.5 Withdrawal**

If the Secretariat wishes to withdraw its approval of one or more of its American National Standards, it may do so without a vote of the Main Committee. If the Secretariat does withdraw one or more of its American National Standards, it shall notify ANSI immediately and the standard shall be withdrawn as an ANS and announced in *Standards Action*.

## **6 Meetings**

### **6.1 Main Committee meetings<sup>5</sup>**

Main Committee meetings shall be held as decided by the responsible Main Committee Chair, the Secretariat, or by petition of five or more members.

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<sup>5</sup> The term “meeting” covers all standards meetings and includes teleconferences, videoconferencing, and other forms of electronic group interaction.

## **6.2 Task group and standing committee meetings**

Standing Committee and Task Group meetings may be held as decided by the responsible Chair.

## **6.3 Quorum**

A majority of the members of the committee membership 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/date. Main Committee actions, outside of the balloting of a proposed standard, may move forward based on a majority of those present at a meeting. *Robert's Rules of Order* (latest edition) shall apply to questions of parliamentary procedure not covered herein.

## **6.4 Meeting notice**

Committee members shall receive announcements of meetings and meeting agendas. Meeting announcements shall be posted on the I.C.E. website. Main Committee meeting notices shall be posted at least 30 calendar days prior to the meeting date and as soon as known for Standing Committee and Task Group meetings. 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 any others expressing interest.

## **6.5 Open meetings**

Non-member observers may request in writing an invitation from the Chair to attend a meeting. The request shall include the observer's interest category and the reason attendance is being requested. The Chair shall consider the following in determining attendance at a meeting:

- parties have a direct involvement in agenda items (documented concerns, presentations, etc.);
- representation from all directly and materially affected interest categories; and
- meeting room size and/or other logistical limitations.

## **6.6 Closed meetings**

The Chair may choose to hold closed sessions for members only when matters of a confidential nature are under discussion. Outcomes of any discussions held in a closed session, which may affect content of a standard(s), shall be reviewed during a subsequent session, including review with observers at the same meeting.

On questions of parliamentary procedure not covered by these Policies, *Robert's Rules of Order* (latest edition) shall prevail.

## **6.7 Meeting summaries**

The Secretariat shall be responsible for creating and distributing Main Committee meeting summaries. The summaries shall contain all motions and the voting results for the motion. Any other discussion may be added at the Chair's discretion. Summaries shall be distributed to all committee members and made available to other interested parties.

The Chair of each Standing Committee and Task Group is responsible for assigning responsibility for the development of meeting summaries. Once completed, the meeting summaries shall be provided to the Secretariat.

## 7 Balloting of standards

### 7.1 Main Committee

#### 7.1.1 General

All proposed new standards, revisions or reaffirmation of existing standards, or withdrawal of existing standards shall be reviewed by the full Main Committee via electronic ballot.

#### 7.1.2 Ballot period

Generally, members shall return their ballots within thirty (30) days of the transmittal date although the Main Committee Chair may request a ballot return in fewer than thirty (30) days. Members shall, in all cases, be given a minimum of fourteen (14) days to return ballots. Ballots received after the closure date may not be counted, unless the Main Committee Chair has authorized an extension.

#### 7.1.3 Ballot options

Each member of the committee shall have one vote. The use of proxies is not permitted for the balloting of proposed standards. A member shall vote based on one of the following positions:

- affirmative
- affirmative with comment(s): only editorial comment(s) shall be considered. If an affirmative ballot is received with requested substantive changes the commenter shall be notified and advised that they should consider submitting a negative ballot to ensure their comments receive proper due process.
- negative, with reason(s): negative ballots must be accompanied by comments related to the proposal or else the ballot will not be considered further.
- abstain

#### 7.1.4 Ballot results - Consensus

Affirmative ballots shall be received from a majority (greater than 50 percent) of committee members, and an affirmative ballot of at least two-thirds of those voting, excluding abstentions, shall be attained before a proposed standard or revision is recommended for adoption, reaffirmation and withdrawal (if it is determined that the Main Committee will vote to withdraw an ANS). .

#### 7.1.5 Negative ballots/public comments

**7.1.5.1** The Secretariat shall record and consider all negative votes accompanied by any comments and public comments that are related to the proposal under consideration. This includes negative votes accompanied by comments concerning potential conflict or duplication of the draft standard with an existing I.C.E. or American National Standard, if applicable, 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.

**7.1.5.2** If comments not related to the proposal are submitted with a negative vote or public comments, the comments shall be documented and considered in the same manner as submittal

of a new proposal. If a negative vote unaccompanied by comments related to the proposal is received, the vote may be counted as a “negative without comment” for the purposes of establishing a quorum. However, such votes (i.e., negative vote without comment or negative vote accompanied by comments not related to the proposal) shall not be factored into the numerical requirements for consensus.

**7.1.5.3** Negative votes and public comments cast with substantive issues shall be referred to the Main Committee Chair for review. The Main Committee Chair shall determine whether expressed views and objections shall be considered by correspondence, by telephone, or at a meeting.

**7.1.5.4** Prompt consideration shall be given to all negative ballots and public comments. A concerted effort to resolve all negative ballots and public comments shall be made, and each submitter shall be advised in writing of the disposition of the negative and the reasons thereof. The communication to the public review commenter with the proposed resolution of comments shall state that if I.C.E. does not hear back from the objector within ten business days, then the objection will be considered resolved.

**7.1.5.5** The Main Committee Chair may work with the submitter to develop a resolution to the negative ballot or public comment without a substantive change to the standard.

**7.1.5.6** All unresolved negative ballots/public comments, attempts at resolution and any substantive changes to the draft standard shall be submitted to the Main Committee for review to afford them the opportunity to respond, reaffirm or change their votes. At the completion of the Main Committee review, if the requirements of 7.1.5 are obtained, all negative ballots/comments shall be considered having received due process and the commenter’s will be advised in writing of the results of the Main Committee’s review and the right to appeal the decision. Public Review commenters will be requested to respond in a reasonable time frame indicating whether the disposition with reasons therefore provided to them satisfies their concerns, and advised that if a response is not received within that timeframe, the comments will be considered resolved.

**7.1.5.7** When submitting the decision of the Main Committee to the objector, the Chair shall advise the objector in writing of the right to appeal the decision in accordance with these Policies.

**7.1.5.8** The Secretariat or Main Committee Chair 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 Chair.

## **7.1.6 Member resignation during balloting period**

If a member resigns from the Main Committee during the balloting period, the member shall be removed from the Committee and not be included in the ballot calculations. If a member votes and then resigns, the vote shall be recorded and counted.

# **8 Appeals process**

**8.1** All unresolved objectors, including public review objectors, shall be notified in writing of their right to appeal. The notification of the right to appeal letter shall notify the unresolved objectors that they have the right to appeal on procedural issues and provide the objector with a copy of the procedures relating to an appeal.

**8.2** Persons who have directly and materially affected interests and who have been or may be adversely affected by the action of a Main Committee, or by the lack thereof, shall have the right to appeal those actions or inactions solely based on procedural issues. Procedural



complaints include whether a technical issue was afforded due process. Appeals shall only be considered when due process provided in these Policies has been exhausted. The burden of proof to show adverse effect shall be on the appellant.

**8.3** The appellant shall file a written appeal with the Main Committee Chair within thirty (30) business days after the date of notification of action or at any time with respect to inaction. The appeal shall state the nature of the objection(s), including any adverse effects, the section(s) of these Policies 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.

**8.4** Within thirty (30) calendar days after receipt of the appeal, the Main Committee Chair shall respond in writing to the appellant, specifically addressing each allegation of fact in the complaint.

**8.5** If the appellant and the Main Committee Chair are unable to resolve the appeal in a manner consistent with these Policies, the Chair shall initiate formation of an appeals panel.

**8.6** The appeals panel shall consist of three individuals chosen by the Chair of the I.C.E. Board. At least two of the members shall be acceptable to the appellant. I.C.E. shall serve as the Secretariat of the panel and shall be a non-voting member. Panel members shall be chosen so as not to have a conflict of interest in the specific action being considered. The appeals panel shall be charged with ensuring the appellant received due process and that proper procedures were followed in addressing the appellant's objections. Technical issues shall be addressed by the appropriate committee.

**8.7** The appellant has the burden of demonstrating adverse effects, improper actions or inactions, and the efficacy of the requested remedial action. The Chair of the Main Committee shall act as respondent to the complaint. The respondent has the burden of demonstrating that the committee did take all actions in compliance with these Policies. 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.

**8.8** The Secretariat, with final approval by the Chair of the Appeal Panel, shall document the decision of the appeals panel within thirty (30) calendar days, stating findings of fact and conclusions, with reasons therefore, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

- finding for the appellant and remanding the action to the Main Committee ;
- finding action taken by the Main Committee was appropriate; or
- finding that new, substantive evidence has been introduced and remanding the entire action to the Main Committee for appropriate reconsideration.

## **9 National adoption of ISO standards as American National Standards**

If the Secretariat wishes to adopt an International Standardization Organization (ISO) standard as an American National Standard, it shall comply with the requirements set forth in the *Procedures for the National Adoption of ISO or IEC Standards as American National Standards* and these Policies.

## 10 Patents in standards

I.C.E. standards shall be written in a manner that complies with the most current version of the ANSI Patent Policy in the *ANSI Essential Requirements*.

## 11 Commercial terms and conditions

Except as otherwise permitted by these Essential Requirements, an I.C.E. Standard shall not include terms or conditions that are primarily contractual or commercial in nature, as opposed to technical, engineering or scientific in nature. Thus, for example, an ANS shall not include contractual requirements (3.2.1); endorse or require the use of proprietary products or services (3.2.2); or endorse or require the use of particular conformity-assessment bodies, testing facilities or training organizations (3.2.3). 3.2.1 Contractual Requirements Except as provided below, ANS shall not include contractual requirements such as those relating to particular products or services, guarantees, warranties, reworks, indemnities, buybacks, price-related terms and other conditions of sale or use. 3.2.2 Endorsements of Proprietary Products or Services ANS shall not endorse or require the purchase or use of proprietary products or service providers as a condition of implementing the standard. Proprietary in this context means products or services that are the property of an owner and cannot be obtained or recreated without the consent of the owner. For example, an ANS may not endorse or require the purchase or use of brand-name tools or components, licenses, manufacturer lists, service provider lists or copyrighted materials.<sup>6</sup> However, for informational purposes, where known sources exist for products or services necessary to comply with the ANS, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of products or services is not an endorsement of those products or services or their suppliers. 3.2.3 Conformity Assessment, Testing and Training In connection with ANS that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity may be standardized as long as the description of the process or criteria is limited to technical, engineering or scientific concerns and does not include what would otherwise be contractual or commercial terms. It is permissible for health, safety or environmental protection reasons to include a generic requirement for third-party, i.e., independent, conformity assessment, testing or training. ANS shall not dictate the use or non-use of a particular conformity-assessment body, testing facility or training organization. However, for informational purposes, where known sources exist for products or services necessary to determine compliance with the ANS, it is permissible, but not obligatory, to identify the sources (which may include a source's name and address) in a footnote, an appendix, or reference to a website. The referenced products or services shall be reasonably available from the referenced sources, the words "or the equivalent" shall be added to the reference, and the reference shall also expressly state that identification of sources is not an endorsement of those sources.

## 12 Interpretations

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<sup>6</sup> The term "copyrighted materials" is not intended to include: (a) manufacturers' instruction/safety manuals; or (b) third-party standards, when such documents are incorporated by reference into the text of an ANS for non-commercial technical, or safety-related purposes, as long as such references do not otherwise violate other provisions of the Commercial Terms and Conditions Policy (e.g., they cannot also include warranties, guarantees and like commercial clauses)

Each Main Committee for an ANS shall have a Standing Interpretation Committee responsible for responding to interpretation requests. The Secretariat reserves the right to charge a reasonable fee for the processing of interpretation requests.

**12.1** All requests for interpretation of standards shall be submitted in writing and shall include the reasons for the request and a clearly stated suggested interpretation for consideration.

**12.2** The Secretariat, in consultation with the Interpretation Committee Chair, shall determine if an official interpretation previously issued by the Committee exists that can be used in response to the request. If no such interpretation exists, the request shall be provided to the Interpretation Committee for consideration. An interpretation shall be accepted by at least two-thirds of the Interpretation Committee members.

**12.3** The Interpretation Committee may decide in the case of lack of consensus or for other reasons, to submit the request to the Main Committee for consideration.

**12.4** No interpretation is binding on I.C.E. unless it has been established in accordance with the above procedures.

## **13 Committee expenses and contracts**

### **13.1 Committee expenses**

#### **13.1.1 Main Committee expenses**

Expenses for committee participation (meetings, teleconferences, etc.) will not be assumed by I.C.E. unless expenditures are previously authorized by I.C.E. on recommendation of the Main Committee Chair and are within amounts determined to be reasonable by I.C.E..

Committees shall not pay salaries or professional fees in any form to any committee member to carry out the responsibilities of their participation.

### **13.2 Contracts**

No person has the authority to negotiate or execute any contract on behalf of I.C.E. except for the Chair of the I.C.E. Board or designee thereof.

## **14 Editorial revisions**

The Main Committee Chair shall appoint an Editorial Committee responsible for ensuring that the finished standard is editorially correct. The Editorial Committee may editorially revise (without Main Committee review) standards to ensure requirements are clearly stated. Editorial revisions shall not affect the intent or requirements of the standard. Examples of substantive changes that would not be considered editorial are:

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

The Editorial Committee is responsible for reviewing all standards approved by the Main Committee prior to publication of the standard. There shall be complete agreement of the



Editorial Committee prior to any editorial change being made to the standard. Any unresolved issues may be submitted to the Main Committee for consideration.

## **15      Issuance**

I.C.E. may issue new and revised standards approved by consensus of the Main Committee. The Chair of the I.C.E. Board reserves the right to not proceed with the issuance of a standard. This decision shall occur prior to submitting the standard to ANSI for final approval. Effective dates are not part of the standard normative text and are established by the end user of the standard.

## **16      Periodic reviews**

I.C.E. Standards shall be reaffirmed, revised, or withdrawn at least every five years.

**16.1**   If a reaffirmation, revision, or withdrawal is in process when the five-year limit is reached the time limit may be extended. No more than two extensions may be granted. Each extension shall be based on a plan and schedule for reaffirmation, revision, or withdrawal. The standard shall be withdrawn if no action is taken at the end of the second extension.

**16.2**   Standards shall not be designated as American National Standards if no action has been taken beyond 10 years from the date of approval.

**16.3**   The Main Committee shall be notified of all extensions.

## **17      Record keeping**

All standards related records such as general correspondence, including, but not limited to, draft standards, ballots, meeting summaries, appeals, or related information relative to review, revision, affirmation, or withdrawal of a standard shall be retained for at least five years, or until the next full revision of the standard, whichever comes later. Records related to a standard that has been withdrawn shall be retained for at least five years following the withdrawal.

## **18      Disclaimers**

Participation in I.C.E.'s standards development/maintenance activities by government agency representatives does not constitute endorsement of I.C.E. or its standards by the member's governmental agency or any of its subdivisions.

## **19      Metrication**

Metric units shall be included with inch-pound units in all standards. The primary units used shall be determined by the applicable Main Committee. When inch-pound units are the primary units, "soft metrication" shall be used when providing metric units as equivalent. The intended tolerance, when not otherwise specified, shall be based on the inch-pound unit.

## **20      Antitrust Policy**

American National Standards shall be developed in accordance with applicable antitrust and competition laws and meetings amongst competitors to develop American National Standards are to be conducted in accordance with these laws.

## **21 Legal representation**

A member of a committee or an observer who intends to have legal representation at a meeting may do so only after requesting and receiving prior written authorization by I.C.E.. A written request shall be provided to I.C.E. at least 10 calendar days before the meeting. If such a request has not been made, legal representation will not be permitted at the meeting. I.C.E. reserves the right to have legal counsel present at any time without notice.