



# **NCMA STANDARDS DEVELOPMENT PROGRAM**

## **Policies and Procedures Manual**

**Third Edition**

**RELATED TO ANSI/NCMA ASD 1-2019**





## **NCMA STANDARDS DEVELOPMENT PROGRAM Policies and Procedures Manual**

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## NCMA Standards Development Program Procedures Manual

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### 1.0 NCMA Standards Program Scope and Objective

#### 1.1 Program Scope

The National Contract Management Association (NCMA) was founded in 1959, and has become the world's leading professional resource for those in the contract management profession. NCMA is dedicated to the professional growth and educational advancement of contract management. In addition, NCMA strives to serve and inform the profession it represents and to offer opportunities for the open exchange of ideas in neutral forums.

In this role, NCMA is the foremost standards development organization for contract management in the United States. The NCMA procedures for documenting consensus on NCMA-proposed or sponsored *American National Standards* are accredited by the American National Standards Institute (ANSI). ANSI coordinates the development and promotion of many United States voluntary standards and officially represents the United States in international standards-setting.

NCMA's accredited scope is as follows: Standards for contract management practices.

NCMA's standards are developed by the NCMA Standards Consensus Body (SCB). The SCB operates as a consensus body with membership drawn from a variety of backgrounds—to include government and commercial buyers and sellers, academicians, regulatory authorities, and consultants. Collectively, these interdisciplinary groups develop standards and other subject matter documents intended to advance contract management practices.

Through its subject matter committees and advisory groups, NCMA plays a significant role in the development of contract management standards. Procedures and policies provided in this document—the *NCMA Standards Development Program Policies and Procedures* (hereafter, "Policies and Procedures")—refer only to the NCMA National Standards Program, unless otherwise specified.

#### 1.2 Program Objective

The NCMA standards program guides the contract management profession globally in the use, acceptance, and advancement of contract management practices.

#### 1.3 Program Benefits

NCMA standards and other subject matter documents reflect the combined knowledge of government and commercial buyers and sellers, as well as academicians, regulatory authorities, and consultants. They are intended to be applied by contract managers using the judgment required to adapt to any unique circumstances of the reader. Consequently, the NCMA standards program provides guidance to the contract management profession without restricting technological advancement or freedom to operate.

#### 1.4 Types of Subject Matter Committee Documents/Publications

##### 1.4.1 General

NCMA subject matter publications are classified according to their objectives or the level of consensus they reflect. The types of subject matter publications described below are only examples—NCMA committees and working groups may develop other types of documents in response to specific issues.

##### 1.4.2 Standards

A standard may describe the nature of contract management in terms of the contract management processes created through the integration and interaction of job tasks and competencies, and the purposes they serve. The inclusion of design specifications in a standard is permitted when circumstances warrant, but design specifications usually are avoided as they can hinder the advancement of technology.

A standard may provide a contract manager with evaluation guidelines of individual competence and organizational capability.

NCMA's standards require national consensus.

#### **1.4.3 American National Standards**

An NCMA standard designated as an "American National Standard" has been developed in accordance with ANSI's requirements for consensus, due process, public review, and ANSI review.

NCMA may choose to develop consensus standards without submitting them for ANSI approval as American National Standards.

#### **1.4.4 Other Subject Matter Publications**

NCMA also develops subject matter communications (e.g., subject matter reports, points to consider, surveys, etc.) tailored to the specific needs of its membership and the contract management profession at large. NCMA committees and working groups are not limited to the categories of subject matter publications described in the foregoing paragraphs, but may choose to devise innovative approaches to education and technology assessment. The work products from these efforts are not subject to ANSI review.

### **1.5 Metric Policy**

The use of the United States Customary System (USCS) is preferred in all NCMA consensus documents. For situations where the USCS unit is not commonly used or where the USCS unit is not the term of art, the more commonly used measurement or term of art may be used. The value in USCS units, however, also may be included parenthetically.

## **2.0 Due Process**

### **2.1 Due Process in the Development of Standards**

"Due process" means that any person (organization, company, government agency, individual, etc.) with a direct and material interest has a right to participate by expressing a position and its basis, having that position considered, and having the right to appeal. Due process allows for equity and fair play.

NCMA standards are developed by consensus, in accordance with policies and procedures designed to ensure due process. NCMA shall abide by all applicable requirements for due process provided in the *ANSI Essential Requirements: Due process requirements for American National Standards* (hereafter "ANSI Essential Requirements" and posted at (<https://www.ansi.org>)).

### **2.2 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. Consensus is achieved when individuals and organizations having a direct and material interest in a standard achieve substantial agreement according to the judgment of the NCMA Standards Consensus Body. Consensus does *not* require that all objections be withdrawn.

For NCMA standards development, substantial agreement is defined as minimum approval of at least three-fourths of those voting (excluding abstentions), with at least three-fourths of eligible voters returning ballots (including abstentions). However, the voting record of each interest category also may be considered.

Establishing a consensus on a standard entails the following:

- a) Substantial agreement by written ballot among the members of the Standards Consensus Body;
- b) Appropriate public review;
- c) Good faith attempts at resolving any comments; and
- d) Concurrence that consensus has been achieved in the judgment of the Standards Consensus Body.

## **2.3 Openness**

Participation shall be open to all persons who are directly and materially affected by the activity in question. There shall be no undue financial barriers to participation. Voting membership on the Standards Consensus Body shall not be conditional upon membership in any organization, nor unreasonably restricted on the basis of subject matter qualifications or other such requirements.

NCMA shall provide timely and adequate notice of any action to create, revise, reaffirm, or withdraw a standard to all known directly and materially affected interests. NCMA shall provide 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 (or if membership is by organization, the name of the organization with a point of contact), affiliation and interest category of each member of the Standards Consensus Body shall be made available to interested parties upon request (ANSI Essential Requirements 2.1).

## **2.4 Lack of Dominance**

The standards development process shall not be dominated by any single interest category, individual, or organization. Dominance means 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 (ANSI Essential Requirements 1.2).

Unless it is claimed in writing (including electronic communications) by a directly and materially affected party that a single interest category, individual, or organization dominated the standards development process, no test for dominance is required (ANSI Essential Requirements 2.2).

## **2.5 Balance**

The standards development process should have a balance of interests. Participants from diverse interest categories shall be sought with the objective of achieving balance. If the Standards Consensus Body lacks balance, outreach to achieve balance shall be undertaken.

## **2.6 Coordination and Harmonization**

Good faith efforts shall be made to resolve potential conflicts between NCMA standards and existing standards promulgated by other standards developers.

## **2.7 Notification of Standards Development**

Notification of the development of NCMA standards shall be announced in suitable media as appropriate to afford an opportunity for participation by directly and materially affected persons.

## **2.8 Consideration of Views and Objections**

Prompt consideration shall be given to the written views and objections of all participants, including those commenting during public review.

## **2.9 Consensus Vote**

Evidence of consensus in accordance with these requirements and, where appropriate, the *ANSI Essential Requirements*, shall be documented.

## **2.10 Written Procedures**

These *Policies and Procedures* shall be available upon request to any interested party.

## **3.0 Program Organization**

### **3.1 General**

NCMA national standards and subject matter documents are developed by the SCB, assisted by the NCMA Standards Staff, and monitored, assessed, and advocated by the NCMA Committee on Professional Development and Certification (PD&C).

### **3.2 NCMA Standards Consensus Body (SCB)**

NCMA standards are developed and revised by the SCB. The SCB is composed of volunteer subject matter experts and is the heart of the NCMA standards program. Each task of the SCB has a defined scope of work and operates under the established policies and procedures of this manual. PD&C evaluates the need for standards and other subject matter publications within its area of responsibility.

As appropriate, supplemental committees, working groups, subgroups, or individuals may act in an advisory, organizational, or oversight capacity in the standards process. The provisions given in this document governing organization, membership, participation, and operations of the SCB do not apply to these supplemental groups or individuals. However, the work of these supplemental bodies will not impact the openness, balance, or consensus in NCMA standards.

### **3.3 NCMA Committee on Professional Development and Certification (PD&C)**

#### **3.3.1 General**

PD&C oversees the NCMA professional development and certification programs to promote professionalism.

PD&C will monitor, assess, and advocate for a contract management standard (the “CMS”) and a contract management body of knowledge (the “CMBOK”) for use by and the reference of individuals, companies, public agencies, academia, and other institutions in improving individual competence and organizational capability, and obtain NCMA Board of Directors (BoD) review and approval for the creation, revision, or cancellation of standards (NCMA Policy 3-9).

#### **3.3.2 Membership**

PD&C leadership (Chair) is appointed by the NCMA President. The leadership may be removed at any time by the President. The Chair assumes this position for a one-year period, which may be renewed at the discretion of the President.

PD&C membership is comprised of individuals who have a demonstrated history of subject matter excellence within the scope of NCMA’s activities. PD&C normally consist of approximately six – twelve (6 – 12) members, representing subject matter disciplines within NCMA’s purview. PD&C members must be members of NCMA and membership is open to qualified individuals, including those from regulatory agencies, and academia. PD&C members are appointed by the NCMA President.

The PD&C Chair shall not serve concurrently on the SCB. Up to one-half of the remaining PD&C members may serve concurrently on the SCB.

#### **3.3.3 Terms**

PD&C members are appointed by the NCMA President for a one-year term, which may be renewed at the discretion of the NCMA President. All PD&C members must agree to and sign the NCMA Code of Ethics.

### **3.4 Responsibilities**

The BoD, PD&C, and Standards Staff adhere to and enforce the *NCMA Standards Program Policies and Procedures*.

#### **3.4.1 NCMA Board of Directors**

The BOD has general supervision, control, and direction of the affairs of NCMA. The BOD will be informed by PD&C and Standards Staff regarding the initiation of all standards development activities and authorizes the submission of proposed standards to ANSI for final approval as an American National Standard.

#### **3.4.2 PD&C**

PD&C responsibilities include the following:

- a) Reviewing the progress of SCB work;
- b) Advising the NCMA President on the appointment of SCB Chairs and members;

- c) Endorsing new or revised policies for approval by the BoD; and
- d) Hearing appeals of SCB decisions.

### **3.4.3 NCMA Standards Staff**

The Standards Staff is comprised of the NCMA Chief Executive Officer (CEO) and all other designated staff members to support NCMA standards development. The Standards Staff manages program operations on a day-to-day basis, to include such tasks as advising the SCB on NCMA policies and procedures, scheduling meetings, maintaining records, preparing documentation, editing subject matter documents, administering ballots, overseeing public review, and coordinating SCB and PD&C activities.

The Standards Staff reviews and confirms adherence to NCMA policies and procedures in the development of standards and informs the BOD of this status during the final authorization for submission to ANSI.

Standards approved by the BOD will be submitted by the Standards Staff to ANSI in accordance with ANSI procedures. The Standards Staff will serve as the ANSI point of contact.

## **4.0 Standards Consensus Body Membership and Structure**

### **4.1 Definition of Consensus Body**

“Consensus body” means a “group that approves the content of a standard and whose vote demonstrates evidence of consensus” (*ANSI Essential Requirements*). For NCMA, the SCB serves as the consensus body.

When a committee or working group is actively developing and approving NCMA standards, that group is acting as a consensus body.

### **4.2 NCMA Standards Consensus Body Leadership (Chairs)**

#### **4.2.1 General**

The SCB will have a Chair and a Vice Chair, preferably from different interest categories (see 4.5).

#### **4.2.2 Selection**

The NCMA President appoints the SCB Chair and Vice Chair with appropriate consultation from the CEO and PD&C Chair.

If the SCB has no Chair or Vice Chair and there is pressing business before the group, the President may appoint an interim Chair.

If the Chair or Vice Chair is not able to attend a meeting, an acting Chair may be appointed by the CEO to lead the meeting. The acting Chair may be a member of the Standards Staff.

#### **4.2.3 Terms**

The terms of the SCB Chair and Vice Chair appointments are three (3) years. Additional terms may be approved by the President following consultation with the CEO and PD&C Chair.

#### **4.2.4 Qualifications**

The SCB Chair and Vice Chair must be subject matter experts in the contract management profession.

#### **4.2.5 Responsibilities**

Specifically, the Chair is responsible for:

- a) Conducting SCB meetings;
- b) Implementing Association policies, objectives, and priorities into SCB products;
- c) Efficiently managing SCB activities to ensure timely completion of work;
- d) Appointing task group members or other SCB officers;

- e) Advising the Standards Staff on subject matter and administrative matters relevant to the SCB's work;
- f) Documenting SCB meetings in the absence of Standards Staff; and
- g) Representing the SCB at public meetings or hearings when requested by the NCMA President or CEO.

Unless authorized by the NCMA President or CEO, SCB Chairs may not speak officially for the Association.

#### **4.2.6 Termination of Chair Appointments**

A Chair appointment may be terminated at any time by the NCMA President should it become evident that the Chair has insufficient time or resources to fulfill the responsibilities of the position, is not properly executing NCMA's policies and procedures, or is not abiding by NCMA policies. In such a case, the Chair will receive written notification from the NCMA President that the appointment has been terminated. The termination may be appealed to the BOD within fourteen (14) days of the termination notice.

### **4.3 NCMA Standards Consensus Body Size**

The SCB shall consist of not more than twenty-one (21) members, depending upon interest expressed by parties who are affected by the standard and the scope of the standard. The SCB shall be balanced at all times to properly reflect the composure of the interest groups.

### **4.4 Members of the NCMA Standards Consensus Body**

#### **4.4.1 Member Qualifications**

An SCB member should have a direct and material interest in the work of the SCB, either as an individual or through association with an organization. Members who do not have a direct and material interest also may serve as voting members, subject to the NCMA President's approval, provided they are knowledgeable about the subject of the SCB's work or possess needed expertise. An SCB member also must have sufficient time and resources to fulfill the responsibilities of membership and is required to review and vote on all balloted documents or proposals.

SCB members need not be individual members of NCMA or represent institutional or corporate members of NCMA; however, NCMA may impose cost-reimbursement fees on SCB members who are not individual members of NCMA.

SCB members also must provide adequate contact information. Because SCB communications and documents are normally distributed electronically, members must have access to the Internet and a functioning email address.

#### **4.4.2 Representative Members and Alternates**

A representative member is anyone who meets the following criteria:

- a) The individual has a direct and material interest in the work of the SCB, and
- b) The individual is expected to vote and speak as a subject matter expert with respect to standards under development by the SCB, not as a representative of the views or practices of a particular company or organization.

A representative membership in the SCB is held by the individual serving as a subject matter expert on the topic of the standard in development.

A representative can appoint a temporary alternate as a proxy representative to participate in specific meetings if the particular SCB representative is unable to attend.

#### **4.4.3 NCMA Standards Consensus Body Member Code of Ethics**

All participants on the SCB shall sign and comply with the NCMA Code of Ethics.

## **4.5 Interest Categories (Stakeholders)**

### **4.5.1 General**

Every SCB member (stakeholder) shall be classified by interest category. NCMA recognizes three interest categories: Buyer, Seller, and General. The SCB should strive for participation from all affected interest categories. Members are classified by their overall interest (or the overall interest of their affiliated organization) relative to the work of the SCB.

### **4.5.2 Declaration of Interest and Disclosure of Potential Conflicts of Interests**

SCB members must declare the interest they represent on NCMA standards groups and must disclose all potential conflicts of interests. SCB members also must comply with any applicable conflict of interest policies set by NCMA.

### **4.5.3 Contract Management Definition**

“Contract management” means the actions of a contract manager to develop solicitations, develop offers, form contracts, perform contracts, and close contracts.

### **4.5.4 Buyer Interest Members**

An SCB member who, as an individual or organizational representative, is involved in government or commercial contract management to buy goods and/or services shall be classified as a Buyer Interest stakeholder. Individuals in this interest category can include specialists, administrators, negotiators, analysts, and attorneys.

### **4.5.5 Seller Interest Members**

An SCB member who, as an individual or organizational representative, is involved in government or commercial contract management to sell goods and/or services shall be classified as a Seller Interest stakeholder. Individuals in this interest category can include specialists, administrators, negotiators, analysts, and attorneys.

### **4.5.6 General Interest Members**

An SCB member who, as an individual or organizational representative, has a general material interest in contract management covered in the scope of the subject matter documents developed by NCMA and who does not fit into any of the preceding categories shall be classified as a General Interest stakeholder. Individuals in this category would include academicians, consultants, researchers, regulatory authorities, representatives of accrediting organizations, representatives of other organizations, etc.

### **4.5.7 Categorization of Membership Associations**

A membership association (e.g., trade association, professional society) shall be categorized according to the appropriate interest category of its members.

### **4.5.8 Lack of Dominance**

The standards development process shall not be dominated by any single interest category, individual, or organization, due to superior leverage, strength, or representation to the exclusion of fair and equitable consideration of other viewpoints.

### **4.5.9 Balance**

The contract management profession is comprised mostly of buyers and sellers. To achieve balance among these interest groups, the number of Buyer Interest members and the Seller Interest members should equal. No single interest category shall constitute more than one-half of the SCB membership.

## **4.6 Selection of Standards Consensus Body Members**

### **4.6.1 General**

Members of the SCB are appointed by the NCMA President with appropriate consultation from the CEO, PD&C Chair, and SCB Chairs.

#### **4.6.2 Terms**

Appointments and reappointments will be for three years with a common start date. The term of mid-cycle appointments will be at the discretion of the NCMA President, with due consideration given to SCB balance.

#### **4.6.3 Selection Process**

SCB members are appointed by the NCMA President while seeking balance in the Interest stakeholders. SCB candidates shall disclose any potential conflicts of interest (e.g., consulting arrangements, service on a corporate board). However, a potential conflict of interest does not necessarily disqualify an applicant from independent voting status on the SCB.

Candidates (or the organization represented by the candidate) deemed to be a stakeholder and clearly have a direct and material interest in the devices and/or processes covered in documents under development by the SCB will be given preference toward SCB membership.

#### **4.6.4 Refusal of Membership**

SCB membership may be refused by the NCMA President for one or more of the following reasons:

- a) The candidate (or organization represented) does not have a direct and material interest in the devices or processes covered by the SCB.
- b) The work of the SCB is nearing completion.
- c) The company or organization the candidate is associated with is fully represented on the SCB (in order to avoid the appearance of undue influence by a particular company or organization).
- d) For Buyer, Seller, or General Interest stakeholders, the candidate has a substantial relationship or conflict of interest that precludes granting independent voting status.
- e) The candidate refuses to fully disclose relevant financial relationships, possible conflicts of interest, or provides incomplete or erroneous information.
- f) The candidate is not in compliance with or has previously violated the terms of the NCMA Code of Ethics.

A candidate has the right to appeal to the BOD within fourteen (14) days if membership is denied.

#### **4.6.5 Responsibilities**

SCB members shall actively participate in all SCB business. In particular, they shall respond to all SCB ballots in a timely manner. Regular attendance at meetings is strongly desirable.

SCB members are responsible for notifying NCMA of changes in email address or affiliation. Departing SCB members are responsible for recommending a replacement member of the same interest category of the departing member.

#### **4.6.6 Change of Interest Category or Representation**

To ensure lack of dominance, balance, and due process, the membership of any individual on the SCB terminates when that individual's interest category or representation changes. Such a change shall be disclosed, and continued participation in the SCB by that individual requires reappointment by the NCMA President into another interest category.

#### **4.6.7 Temporary Designation of Proxy**

An SCB member who cannot attend a meeting with formal votes on SCB approval of a candidate document as a standard (see 5.7) may designate a proxy for that meeting by notifying the SCB Chair in writing in advance.

The designated proxy must be an SCB member and must agree to hold the proxy. An SCB member may hold more than one proxy at a meeting.

Designation of a proxy does not satisfy attendance obligations.

#### **4.6.8 Organizational Liaisons**

Organizational liaisons to subject matter committees are representatives of an organization who receive all committee documentation but who cannot vote.

The Standards Staff approves organizational liaisons and can deny or discontinue liaisons for cause.

#### **4.7 Termination of NCMA Standards Consensus Body Membership for Cause**

The SCB Chair may terminate SCB membership for lack of participation or interest, especially for failure to record a vote or abstention on two consecutive letter ballots (the SCB Chair can only be terminated by the NCMA President). An exception to this policy shall prevail in instances where a government member may be restricted by their respective agency from voting on a particular ballot. In these cases, the submission of abstention votes shall be allowed and the reason documented.

Substantive violation of NCMA policies, including violation of the NCMA Code of Ethics is also cause for termination of membership.

Failure to disclose a change in interest category or representation or to disclose a conflict of interest is grounds for termination of membership.

Membership in the SCB also may be terminated if it is determined that the individual or organization's continued membership or actions may be detrimental to the work of the SCB, to the interests of NCMA, or to the public good.

Persons or organizations whose voting representation on a committee has been terminated for any of the above reasons will be notified in writing and will retain all other rights afforded them by due process.

If NCMA is not able to contact a member or if a member cannot provide a working email address, that individual's membership may be terminated without further notice.

An SCB member has the right to appeal to the BOD within fourteen (14) days if membership is denied.

### **5.0 NCMA Standards Consensus Body Policies and Operations**

#### **5.1 Ethics Policy**

The SCB and its members shall sign and comply with the NCMA Code of Ethics.

#### **5.2 Commercial Terms and Conditions**

NCMA shall comply with the current ANSI policy for commercial terms and conditions.

#### **5.3 Patent Policy**

NCMA shall comply with the current ANSI policy for patents.

#### **5.4 Antitrust Policy**

NCMA shall comply with the current ANSI antitrust policy.

#### **5.5 Transaction of NCMA Standards Consensus Body Business**

SCB business is conducted via electronic correspondence, conference calls, webinars, and face-to-face meetings.

#### **5.6 Announcement of Meetings**

All SCB meetings will be announced as early as possible but at least thirty (30) calendar days in advance for face-to-face meetings. Meetings held by teleconference or webinar also should be announced as early as possible but not less than fourteen (14) calendar days in advance, except in unusual and urgent circumstances. An agenda and any necessary agenda materials shall be distributed in advance of the meeting.

## **5.7 Conduct of Meetings**

SCB meetings are conducted by the Chairs, Standards Staff, or a designee. There is a quorum requirement to hold the meeting, and absent SCB members shall be given the opportunity to vote regarding any final substantive actions relating to the disposition of a proposed document.

A quorum for meetings of the SCB shall be 50% of the total number of members plus one, and shall be required for the valid conduct of business.

Meetings are conducted in accordance with general parliamentary principles and procedures, with some SCB decisions made by motion and vote. Only voting members of the SCB or a member's designated proxy may vote at a meeting.

Formal votes on SCB approval of a candidate document as a standard must take place via electronic or postal correspondence (not at meetings), and all SCB members must be afforded the opportunity to vote.

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

## **5.8 Public Participation in Meetings**

All SCB meetings are open to the public; however, it is at the Chair's discretion whether or not to accept comments from the public during the meeting.

## **5.9 Closed Meetings**

Meetings of the SCB shall *not* be held in closed session on matters related to standards. Executive boards or task groups may, however, conduct meetings in closed session.

## **5.10 Documentation of Meetings**

All SCB meetings, including substantive actions taken by the SCB, shall be documented by minutes or a brief report.

## **5.11 Distribution of Documents**

Meeting minutes, documents in progress, and other SCB materials are normally distributed by the NCMA Standards Staff. Only materials distributed by or with the explicit permission of NCMA Standards Staff are part of the official record.

Minutes of public meetings will be made public. Minutes of closed meetings will be made public at the discretion of the Chair.

## **5.12 Task Groups and Project Leaders**

Task groups may be appointed by the SCB Chairs or Standards Staff to address specific subject matter issues, research subject matter questions, organize work, or prepare early drafts. Assigning a project leader to write the first draft of a document or revise a working draft in response to SCB input also is acceptable.

# **6.0 Development of Consensus Standards**

## **6.1 New Work Proposal**

### **6.1.1 Initiating New Work**

NCMA shall make available a new work proposal form detailing information necessary to consider developing a new standard. To propose new work, a completed form shall be submitted to the Standards Staff. Any individual or organization having a material interest may propose new work, but the work must be within the standards program's approved scope.

Whenever possible, a detailed outline or first draft of the proposed document should accompany the proposal.

The Standards Staff will review all new work item proposals for completeness, clarity, compliance with the Association's procedures and to ensure such work is not already in NCMA's program of work or that of another standards developing organization. Where appropriate, the Standards Staff may request proposals be amended to correct deficiencies, provide clarity, or respond to questions.

### **6.1.2 Evaluation and Approval of New Work**

Proposals may be sent to appropriate parties within the Standards Staff, SCB, PD&C, BoD, and NCMA membership for review, and where appropriate, input may be sought from outside stakeholders with regard to the need and feasibility of the proposed work, as well as to whether NCMA is the appropriate organization to develop the work. Such review may include distribution to appropriate NCMA committees, working groups, or other experts for evaluation. A proposal under consideration should be announced via NCMA publications, the NCMA website, or press releases.

### **6.1.3 Approval and Announcement of New Work**

After completion of the evaluation, new work items shall be publicly announced in NCMA publications, on the NCMA website, or by other appropriate means. For documents proposed as American National Standards, announcements shall comply with 2.5 of the *ANSI Essential Requirements* with regard to the submission of Project Initiation Notifications System (PINS) form and announcement in ANSI Standards Action. Announcements of new work on prospective standards shall comply with the requirements for openness. Any comments resulting from these announcements will be addressed in accordance with 2.5 of the *ANSI Essential Requirements*.

The Standards Staff shall consider the need for the new work, the priority of the work for NCMA, the feasibility of completing the work, whether the work is in NCMA's scope, and whether NCMA has sufficient resources—including stakeholder participation—to undertake the new work. In addition, the Standards Staff should consider whether a more appropriate subject matter organization should undertake the work.

The SCB approves initiation of new work based upon Standards Staff recommendation at a meeting or by a ballot. At least three-fourths of those members submitting votes must support the proposal.

### **6.1.4 Outreach**

The Standards Staff shall perform and document outreach to materially affected parties to promote participation of affected stakeholders and a balance of interests on the SCB.

## **6.2 NCMA Standards Consensus Body Ballot and Public Review (SCB Draft)**

This section describes the balloting and review procedures related to approving a new, revised, or reaffirmed *American National Standard*.

### **6.2.1 Decision to Initiate Ballot and Public Review**

After a decision has been made that a document is ready for formal public review, it is designated as an SCB Draft. The decision to issue an SCB Draft is approved by the SCB via ballot.

### **6.2.2 Ballot Period**

The ballot period for a ballot shall not be less than fourteen (14) calendar days. The voting period length will be determined by the SCB Chair.

Early closing is permitted by the SCB Chair if all ballots are returned before the end of the ballot period.

### **6.2.3 Voting**

The SCB Chair, Vice Chair, and members shall have a vote. The Standards Staff has no vote but will track SCB voting participation.

SCB members may vote in the affirmative (e.g., "affirmative," "yes," or "approve"), in the negative (e.g., "negative," "no," or "disapprove") or may abstain. An SCB member should vote in the affirmative if the member endorses the document whether or not his or her comments are accepted. An SCB member

should vote in the negative if substantive subject matter changes are necessary to resolve one or more of the member's comments.

Negative votes should be accompanied by comments; otherwise, they shall be recorded as "negative without comments" without further notice to the voter. Affirmative votes may include comments; however, a vote of approval cannot be contingent upon acceptance of those comments.

Abstentions should be accompanied by an explanation.

All comments and objections, whether accompanying affirmative or negative ballots, must be specific and include the following information:

- a) The number of the paragraph containing the text in question;
- b) The rationale for the objection;
- c) Alternative text that would resolve the objection; and
- d) An indication as to whether the comment is subject matter, editorial, or general in nature.

#### **6.2.4 Ballot Return and Approval Requirements**

For a ballot to be valid, at least three-fourths of the SCB members shall record a vote or an abstention. For a document to be considered as approved, at least three-fourths of those voting (excluding abstentions) must return an affirmative vote (with or without comments).

#### **6.2.5 Non-Voting Roles**

Individuals may apply to the SCB Chair for a non-voting role on the SCB. Non-voting roles shall be assigned at the discretion of the SCB Chair.

Persons in non-voting roles shall be notified of SCB activities, may attend meetings, and may submit comments for consideration. Non-voting members shall not have voting privileges.

The SCB Chair may create non-voting roles as required. Possible non-voting roles are as follows:

- a) *Advisory*. Individuals involved for coordination purposes.
- b) *Corresponding*. Individuals with a general interest in the activities of the SCB.
- c) *Emeritus*. Past members of the SCB.

Persons in non-voting roles shall not be counted toward the target SCB size.

#### **6.2.6 Public Review**

Public review is a process by which proposed standards are made available for review by interested parties.

Public comment is solicited by notice in appropriate NCMA publications or on the NCMA website and, for standards intended as American National Standards, by announcement in accordance with the requirements set forth in the *ANSI Essential Requirements*. This notice shall announce the proposed standard, state its availability for review and comment, explain how to obtain a copy of the document, and provide a deadline for submitting comments.

The public review period shall be in accordance with the provisions of the *ANSI Essential Requirements*.

NCMA public review periods may be extended at the discretion of the SCB Chair.

### **6.3 Consideration and Responding to Comments**

#### **6.3.1 Return of Comments**

NCMA reserves the right to return for resubmission any ballot or public review comments that are illegible or that reference a specific company, product, or product line other than the commenter's company or

product, unless the comment refers to a section of a proposed draft that cites the specific company, product, or product line.

In all cases, NCMA shall abide by all the provisions of the *ANSI Essential Requirements*.

### **6.3.2 Response to Ballot and Public Comments**

#### **6.3.2.1 Rationale for not Accepting a Comment**

For any subject matter comment that is not accepted, the SCB shall provide an explanation for the rejection in writing. If the comment is understandable, is specific, and offers a rationale, the explanation shall include a subject matter basis for rejecting the comment. The response may refer to an explanation provided in response to another comment. The SCB's explanation for rejecting other types of comments may be of a more general nature.

#### **6.3.2.2 Withdrawn Comments**

The SCB is not required to respond to comments that are withdrawn in writing by the submitter. "Comment withdrawn" shall only be entered into the resolution column at the request of the commenting member or alternate.

#### **6.3.2.3 Late Comments**

The SCB is not required to consider or respond to late ballot or late public review comments in deciding whether to advance the document. If the document is reballoted, the late commenter shall be invited to resubmit comments during the subsequent ballot or public review. If the document advances to approval, the outstanding late comments shall be documented and can be held for consideration at the next revision, unless the commenter wishes the late comments to be treated as a proposal to begin an amendment or revision following publication.

#### **6.3.2.4 Comments not Related to the Proposal Undergoing Ballot**

The SCB is not required to consider comments that are not related to the proposal; however, such comments shall be documented and the commenter invited to submit a proposal for new work.

#### **6.3.2.5 Negative Votes Without Comment**

Negative votes without comments or with comments not related to the proposal being balloted shall be treated in accordance with the provisions set forth in the *ANSI Essential Requirements*.

#### **6.3.2.6 Unresolved Objections**

Unresolved objections exist when a negative vote is sustained by a member of the SCB or when written comments submitted during public review have not been resolved in accordance with the provisions set forth in the *ANSI Essential Requirements*.

#### **6.3.2.7 Distribution of Responses**

The compilation of comments and their resolutions shall be distributed in writing to all SCB members and to any public review commenter.

### **6.4 Decision Regarding Further Action**

If any substantive changes are made following public review and SCB ballot, public review shall be conducted of those substantive changes and, unless there is a full reballot or a ballot of the substantive changes, SCB members shall be given the opportunity to respond, reaffirm, or change their votes.

If ballot results establish consensus, there are no outstanding objections, and only nonsubstantive changes have been made to the document, the document may be submitted to the PD&C.

The decision to approve submission to the PD&C may be decided by the SCB Chairs in consultation with the Standards Staff or by the SCB at a meeting.

If there have been substantive changes or there are outstanding objections to approval, submission for final approval is subject to final SCB review (recirculation).

## 6.5 Final Standards Consensus Body Review and Notice to Public Reviewers (Recirculation)

Members of the SCB and any public reviewers with outstanding objections shall be informed of the decision to submit the document to the PD&C. All SCB members and commenters shall be provided with documentation of the voting results, resolutions of all comments from or subsequent to the last full ballot and public review, and copies of any outstanding objections to the resolution of comments or final approval. SCB members shall have the option to vote on the recirculation of the ballot, even if they did not submit a vote on the original ballot.

Recipients shall be given a minimum of fourteen (14) calendar days in which to object to final approval of the document or (for members of the SCB) to change their votes.

The voting results at the end of final SCB review/recirculation still must support consensus for the proposed document to be submitted to the PD&C, and for the BSR-9 form with all supporting documentation to be submitted to ANSI.

## 6.6 Approval of Final Documents

### 6.6.1 General

The BOD must approve publication of a consensus document as a final standard and, when appropriate, approve its submittal to ANSI for final approval as an American National Standard.

### 6.6.2 Procedural Review

The BOD decision to approve a standard requires that the Standards Staff affirm that a consensus has been established in accordance with the *Policies and Procedures* and all ballot and public comments have received fair consideration and response. The BOD does not conduct a subject matter review or subject matter evaluation of comments or objections.

### 6.6.3 Documentation

In its decision making, the BOD reviews the following documentation:

- a) Copies of all SCB and public comments on the last full ballot/public review;
- b) The SCB's responses to those comments;
- c) Any further comments from persons objecting to the disposition of their comments; and
- d) Objections to the finalization of the document and any other documentation that the Standards Staff deems relevant.

The BOD also reviews the consensus document itself to ensure that it conforms to NCMA policies and practices.

### 6.6.4 NCMA Board of Directors Action

The BOD may take final action on a consensus document at a meeting or by correspondence (including electronic means). In the latter case, the following procedure applies:

- a) All relevant documentation shall be circulated to the members of the BoD, along with a letter ballot. The initial voting period will be a minimum of fourteen (14) calendar days and subject to extension if insufficient response is received.
- b) The letter ballot offers each member the opportunity to vote for final approval, to abstain, or to vote, with an explanation, for holding the matter for deliberation via a meeting or conference call/web meeting. Any vote to hold the decision for deliberation is honored.
- c) Three-fourths of the voting membership of the BOD must return ballots.

### 6.6.5 Denial of Approval

If the BOD denies approval, the document is returned to the SCB along with explanation for the disapproval.

### **6.6.6 Notification to Objectors**

Any SCB member or public reviewer maintaining an objection to approval of the standard will be informed in writing of the BOD decision to approve and advance a document for ANSI approval. Those parties also shall be informed that appeal rights exist under these *Policies and Procedures* and that they may file an appeal in accordance with those procedures.

### **6.7 Publication**

Consensus documents shall be published and made available as soon as possible upon final approval or reaffirmation. Publication of standards approved as American National Standards shall comply with the requirements given in the *ANSI Essential Requirements*.

### **6.8 Copyright**

In order for the SCB Chair to disseminate the work of the SCB, it is necessary that each contributor grant NCMA the rights necessary to adapt, copy, and publicly distribute any contribution or submittal made to the SCB. All NCMA standards are copyrighted by NCMA. Except as expressly permitted by NCMA, no standard or other NCMA deliverable, or any portion thereof, may be reproduced or distributed in any form, without the prior written permission of NCMA. A copyright notice shall be included in all standards or other NCMA deliverables.

### **6.9 Records**

All records shall be retained for a minimum of five (5) years or until approval of the subsequent revision or reaffirmation of the complete standard.

All records concerning withdrawals of all American National Standards shall be retained for at least five (5) years from the date of withdrawal.

All records of any American National Standard shall be kept in accordance with the requirements of the *ANSI Essential Requirements*.

All records shall be retained for one complete standards cycle, or until the standard is revised.

### **6.10 Discontinuation of a Standards Project**

The BOD may decide to abandon or discontinue the processing of a proposed new or revised standard or portion thereof at its own discretion and without a vote of the SCB. Three-fourths of the voting membership of the BOD must return ballots.

The Standards Staff shall notify ANSI immediately of any such decision for candidate American National Standards.

## **7.0 Additional Procedures for Development and Maintenance**

### **7.1 Interpretations of Standards**

Requests for interpretations of standards shall be submitted in writing to the Standards Staff. All requests for interpretations shall include the date of the request, name and contact information of the party requesting the interpretation as well as a description of the request for interpretation, the specific section of the standard to be interpreted, the requestor's understanding of the section, and any other questions or specific information relevant to the request.

The Standards Staff shall forward the request for interpretation to the SCB. Proposed interpretations can be prepared by any SCB member with particular expertise on the subject in question. All proposed interpretations shall be prepared in writing and shall be submitted to the SCB Chair for a consensus vote of the SCB.

Notification of approved interpretations will be sent in writing to the requester.

### **7.2 Amendments of Standards**

An amendment to a standard is a substantive change. Amendments of published NCMA standards may be proposed at any time. Requests for amendments shall be made in writing to the Standards Staff, shall

offer specific text changes, and shall include rationale for the recommended changes. A request for an amendment shall be approved or denied by ballot of the SCB and the SCB's decision made available for public review and comment. An approved amendment and information on how to obtain a copy shall be published by NCMA.

### **7.3 Periodic Maintenance of Standards**

Within five (5) years of the last approval of a current NCMA or American National Standard (unless extended by ANSI), the standard should be balloted for reaffirmation by the SCB if the SCB decides not to revise the standard at that time.

For identical adoptions of an ISO or IEC standard, the procedures in clause 4.0 of the ANSI Procedures for the National Adoption of ISO and IEC Standards as American National Standards apply.

If the SCB proposes to withdraw a document at any time, this proposal will be balloted and placed on public review.

Ballot forms for periodic maintenance shall include the following choices: reaffirm, withdraw, or abstain. Contingency votes (e.g., "reaffirm as long as the SCB starts working on a revision") are not allowed, though an SCB member may propose revisions in response to periodic review. Comments shall be required only for a vote contrary to the proposed action (i.e., "reaffirm" or "withdraw").

The approval process for a reaffirmation, revision, or withdrawal of a standard follows that for the approval of a new standard.

### **7.4 Withdrawal for Cause (Administrative Withdrawal)**

The BOD can withdraw any NCMA or American National Standard.

Administrative withdrawal of any American National Standard shall comply with applicable provisions for administrative withdrawal set forth in the *ANSI Essential Requirements*.

### **7.5 Revisions**

A revision to a standard is a substantive change. A proposal to revise a standard does not require a new work proposal form. The proposal to begin a revision of a standard shall be made to the SCB. Approval to begin a revision requires a majority vote at a meeting or by correspondence.

The initiation of a revision does not obviate the requirement for timely periodic review.

A revision of a standard otherwise follows the procedures detailed in section 6 of these *Policies and Procedures*.

The revision of any American National Standard shall comply with 2.5 of the *ANSI Essential Requirements* with regard to the submission of PINS form and announcement in ANSI Standards Action.

### **7.6 Continuous Maintenance**

Appropriate standards may be maintained on a continuous basis. The SCB shall prepare a documented program for periodic publication of revisions and timely consideration of each formally submitted request for change. BOD approval of the proposal is required.

Continuous maintenance shall comply with all the applicable provisions of these *Policies and Procedures* and, for any American National Standard, with the applicable provisions of the *ANSI Essential Requirements*.

### **7.7 Provisional Standards**

NCMA may develop provisional American National Standards following the provisions set forth in Annex B of the *ANSI Essential Requirements*.

## **8.0 Appeals**

### **8.1 General**

This section sets forth formal appeal mechanisms for the impartial handling of complaints regarding procedural actions or inactions related to NCMA standards.

To appeal an action or inaction, an appellant shall demonstrate that his or her due process rights were compromised and shall have a direct and material interest that is or may be adversely affected.

### **8.2 Actions and Inactions Subject to Appeal**

The following actions may be appealed:

- a) Approval or denial of a new work proposal;
- b) Approval or disapproval of a document as a final or reaffirmed standard;
- c) Authorization or refusal to submit a document to ANSI for approval as an American National Standard;
- d) Withdrawal of a published NCMA standard;
- e) Initiation of new work on a standard;
- f) Termination or cessation of work on a standard;
- g) Refusal or termination of membership on the SCB;
- h) Dismissal of the SCB Chair;
- i) Other uncorrected actions that deny due process rights; or
- j) Procedural inactions not covered above, that violate the due process rights of the adversely affected party.

### **8.3 Appeal to the NCMA Committee on Professional Development and Certification**

#### **8.3.1 Filing of an Appeal**

An appeal of a covered action shall be filed within fourteen (14) calendar days of notification of the action.

There is no deadline for appealing a procedural inaction.

The appeal shall state the nature of the objection, including the details of the denial of due process rights, the real or potential adverse effects upon the appellant, the actions or inactions at issue, and the specific remedial action that would satisfy the appellant's concerns. Previous efforts to resolve the objection and the outcome shall be reported. Upon the filing of a properly executed appeal, the SCB and PD&C are notified and the original action is suspended until the appeal can be resolved or considered.

#### **8.3.2 Initial Standards Staff Review of the Appeal (Informal Resolution Phase)**

Within thirty (30) calendar days of the filing of an appeal, the Standards Staff shall make a preliminary determination as to whether an error or omission occurred that violated the appellant's due process rights. If the Standards Staff determines that a procedural error or omission appears to have occurred but is correctable by further consideration or action of the SCB, staff will consult with the PD&C Chair and SCB Chairs to determine what action can be taken to cure any real or potential adverse effect.

If, in the Standards Staff's estimation, a cure cannot be agreed upon by the parties or if the Standards Staff cannot establish that a procedural omission or error occurred, the appeal shall be submitted to PD&C with all relevant documentation.

#### **8.3.3 Committee on Professional Development and Certification Consideration of the Appeal**

PD&C will be asked to review the appeal to determine if significant evidence exists of a procedural error or omission that violated the due process rights of the appellant and that created potential or actual harm to the appellant. A decision by PD&C to hear an appeal requires approval by a majority of PD&C

members by ballot or at a meeting. When PD&C reaches a decision, the appellant is notified in writing within sixty (60) calendar days of the filing of the appeal.

PD&C members who are concurrently serving as SCB members are ineligible to participate in PD&C appeal procedures. However, the SCB Chair is available to the PD&C during its deliberations without vote. The SCB Chair is recused from and does not participate in the closed session at which the final decision on the appeal is made.

If PD&C decides not to hear the appeal, the appellant may submit his or her appeal to the BOD as detailed below.

If PD&C agrees to hear the appeal, a hearing will be scheduled in accordance with the following provisions.

If the appellant requests an appeal hearing for an appeal of a procedural action or inaction, PD&C shall agree to hear the appeal.

#### **8.3.4 Committee on Professional Development and Certification Hearing**

PD&C shall set a time to hear the appeal via a face-to-face meeting, web meeting, or conference call within six (6) months of the date on which the appeal was filed (or on a date mutually agreeable to all parties). The appellant shall be invited to be represented at the hearing with at least thirty (30) calendar days' notice. Any other materially interested party may attend the public portion of the appeal hearing, provided advance notice of attendance is given.

The appellant will be provided a list of PD&C members and provided an opportunity to object to members hearing the appeal (e.g. conflict of interest).

Upon hearing all arguments, PD&C will decide the matter in closed session immediately following the appeal hearing. A quorum is required of those hearing the appeal. A quorum shall be 50% of the total number of members plus one. Three-fourths vote of PD&C members hearing the appeal is required to modify an original action or position. The PD&C Chair will serve as the respondent to the appeal.

#### **8.3.5 Notification of Committee on Professional Development and Certification Decision**

PD&C decisions on appeals are rendered *only* in writing. The appellant shall receive written notification of the PD&C decision and reason(s) thereof within fourteen (14) calendar days of the decision.

### **8.4 Appeal to the NCMA Board of Directors**

#### **8.4.1 Filing of an Appeal to the Board of Directors**

An appeal to the BOD shall be filed in writing within fourteen (14) calendar days of notification of the results of an appeal to PD&C and must explain why the PD&C decision should be modified.

A decision by the BOD to hear an appeal requires approval by a majority of the BOD by ballot or at an electronic or in-person meeting. The complete PD&C case file shall be made available to the BOD for consideration in reaching a decision on whether to hear the appeal. When the BOD reaches a decision, the appellant shall be notified in writing.

BOD members who are serving concurrently as SCB or PD&C members are ineligible to participate in BOD appeal procedures. However, the PD&C Chair participates in the BoD's deliberations without vote.

#### **8.4.2 Board of Directors Hearing**

If the BOD agrees to hear an appeal, the appellant is invited, with at least fourteen (14) calendar days' notice, to be represented at the hearing. The hearing may be held in person or via a web meeting or conference call. Any SCB member or other interested party may attend the public portion of the appeal hearing with advance notice to the NCMA President.

The appellant will be provided a list of BOD members and provided an opportunity to object to members hearing the appeal (e.g. conflict of interest).

Upon hearing all arguments, the BOD will decide the matter in closed session. To reverse a PD&C decision, a majority vote of all eligible voting members of the BOD is required. A quorum is required of those hearing the appeal. A quorum shall be 50% of the total number of members plus one. The NCMA President will serve as the respondent to the appeal.

#### **8.4.3 Notification of Board of Directors' Decision**

BOD decisions on appeals are rendered *only* in writing. The appellant and PD&C shall receive written notification of the BoD's decision within thirty (30) calendar days of the appeal hearing.

#### **8.5 Appeal of ANSI Decisions on American National Standards**

Persons who maintain negative votes and/or unresolved objections to proposed American National Standards also may have rights of appeal under ANSI's procedures.

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