

Procedures for Organization, Development, and Maintenance of Challenge Course Standards by the Association for Challenge Course Technology (ACCT)

1 General

These procedures apply to the development, approval, revision, reaffirmation, and withdrawal of consensus standards for the challenge course industry developed by the Association for Challenge Course Technology (ACCT) in accordance with the *ANSI Essential Requirements*.

Scope: ACCT's scope of standard involvement is to develop and maintain consensus standards for the challenge course, aerial adventure course, zip line, and canopy tour industries.

2 Organization

2.1 Board of Directors

ACCT is governed by a voluntary Board of Directors (BOD) who are elected from and by the current membership of the Association, each serving a term as described in the current ACCT bylaws.

2.2 The Secretariat

The Board of Directors shall serve as the secretariat and may designate a staff member (full time or contract) to manage the administrative process of the standards program while reporting to the Secretariat. The Secretariat may utilize additional needed resources and shall:

- a) organize the Consensus Group.
- b) maintain ANSI accreditation in accordance with the *ANSI Essential Requirements*, including submission of the Consensus Group roster.
- c) oversee compliance with these Procedures.

The Secretariat shall be responsible for:

- a) making administrative contact with ANSI for submission of standards and ANSI audit purposes.
- b) performing administrative work and support services, including arranging Consensus Group meetings, assisting with the preparation and distribution of agendas, minutes, draft standards, and maintaining records.
- c) submitting proposed standards approved by the Consensus Group and any other required information to ANSI for review and approval as American National Standards.
- d) maintaining rosters of the Consensus Group and a list of standards for which the Consensus Group is responsible.
- e) publishing a public portal for public comments on the standards.
- f) performing other administrative functions as required by these Procedures.
- g) ensuring adherence to the Procedures regarding periodic maintenance of approved

standards.

- h) notifying ANSI of the withdrawal of an American National Standard or the discontinuance of a standards project.

2.3 Consensus Group

The Consensus Group shall be established by the Secretariat and will be responsible for:

- a) reviewing standards or changes to standards proposed through the published comment portal and making any changes to the proposed standards.
- b) voting on approval of American National Standards within its scope.
- c) maintaining the standards developed by the Consensus Group.
- d) complying with policy and procedures for interpretations as defined in Section 10 of these Procedures.
- e) responding to requests for interpretations of the standard(s) developed by the Consensus Group.
- f) other matters requiring committee action as provided in these procedures.

3 Consensus Group Officers

A Chair and Vice-Chair shall be nominated by the individual members of the Consensus Group, subject to approval by a majority vote of the Consensus Group. Officer positions will be reviewed every two years, and a majority vote of the Consensus Group is required for approval. Each officer shall serve until a successor is selected and ready to serve. The Vice-Chair shall carry out the Chair's duties if the Chair is temporarily unable to do so. A secretary shall be provided by the Secretariat.

4 Consensus Group Membership

Membership on the Consensus Group is open to all interested individuals or organizations having a direct and material interest in the activities of the Consensus Group and shall be sufficiently diverse to ensure reasonable balance without dominance by any single interest group.

4.1 Committee Membership. The Secretariat shall solicit for applications in public forums and/or from directly and materially interested parties. Membership selection by the Consensus Group shall give consideration to:

- a) the need for active participation by members of each interest group;
- b) the need for balance and the potential for dominance by members of a single interest group;
- c) the extent of interest expressed and the willingness to participate; and
- d) qualifications and ability to materially contribute to the work of the Consensus Group.

4.2 Application. Individuals seeking membership on the Consensus Group shall submit a written request to the Secretariat indicating their interest in the work of the Consensus Group and their qualifications, willingness to participate, and affiliations that might affect

their classification. Applicants shall identify their interest category. (See *4.3 Interest Categories*.)

4.3 Interest Categories. All members of the Consensus Group shall be classified into interest categories. The interest category of a voting member of the Consensus Group reflects the business or other interests of their primary source of support for participation on the Consensus Group. Interest categories, at a minimum, will include Vendors, Users, or General Interest representatives in accordance with the definitions listed below. Additional classifications can be added by the Consensus Group at their discretion. The definitions of any new classifications added will be made available to any interested party upon request.

- a) **Vendor.** This category includes representatives of interests directly involved in providing services to USERS (see 4.3.b), including and not limited to: designing, constructing, inspection, maintaining and outfitting challenge courses and the staff (e.g. selling safety equipment). Services can also include training of operating personnel, providing insurance (for non-self-insured agencies) and engineering the structure or designing the program.
- b) **User.** This category includes representatives of interests directly involved in using challenge courses, including and not limited to facilities that operate facilitated programs, guided programs, and self-guided (or monitored) programs. Examples of facilities that may use challenge courses include: educational entities, camps, retreat centers, hospitals and rehabilitation centers, community service organizations, social service agencies, recreation and fitness programs and destination locations/resorts.
- c) **General Interest.** This category includes representatives with a variety of perspectives that are neither Vendors nor Users. Examples include, and are not limited to: regulatory agencies, trade associations (that represent interest other than Vendors and Users), standards writing organizations, consumer groups, environmental groups, and researchers.

4.4 Processing Applications. The Secretariat shall promptly send all applications to the Consensus Group for review to ensure that they are accurate and complete. If space is unavailable on the Consensus Group (See *4.6 Consensus Group Size*), applications will be kept for consideration when there is an available position open.

When an opening on the Consensus Group occurs, the Secretariat will make a call for volunteers (see *4.1 Committee Membership*) and all applications that have been received that match the opening need will be sent to the Consensus Group to select the new member(s).

Rejected applicants shall have the right to appeal in accordance with Section 11, Appeals.

4.5 Balance. The standards development process should have a balance of interests. Temporary imbalance can exist due to membership resignations, illnesses, or other unforeseen circumstances. Participants from diverse interest categories shall be sought with the objective of achieving balance. Criteria for balance are that:

- a) no single-interest category constitutes more than one-third of the membership of the Consensus Group dealing with safety-related standards, or

- b) no single-interest category constitutes a majority of the membership of the Consensus Group dealing with other than safety-related standards.

4.6 Consensus Group Size. The Secretariat shall consider reasonable limits on the size of the Consensus Group. To ensure administrative manageability and promote active participation, the suggested maximum is fifteen (15) and the suggested minimum is nine (9).

4.7 Membership Obligations. Members are expected to participate actively by fulfilling attendance, voting, correspondence, and other obligations. Members are expected to participate in good faith and in accordance with professional standards, respectful of the rules of the committee and the authority given to the Officers of the Consensus Group and the Secretariat. Active participation includes voting on all ballots issued and missing no more than three consecutive meetings.

4.8 Review of Membership. The Secretariat shall review the membership list annually with respect to the criteria of this Section 4.7, *Membership Obligations*. Where a member is found in repeated default of these obligations, the Secretariat shall direct the matter to the Consensus Group for appropriate action, which may include termination of membership.

4.9 Membership Roster. The Secretariat shall maintain current and accurate Consensus Group and Standards Writing Task Group roster(s) and shall distribute the roster to the members of each group at least annually and otherwise on request. The Consensus Group roster shall include the following:

- a) title of each group and its designation
- b) scope for each group
- c) name of secretary, and email address(es)
- d) officers: Chair and Vice-Chair
- e) member names, email addresses, and affiliation¹ of members of each group
- f) classification of each member in the Consensus Group
- g) an accounting of classifications in the Consensus Group: total of voting members and subtotals for each interest category
- h) for each Standards Writing Task Group: title, Chair, and names and email addresses of all members

4.10 Task Groups. In addition to utilizing draft writing committees established by ACCT, Task Groups shall be established by the Consensus Group Chair as needed for the purpose of managing projects including but not limited to: drafting or modifying new standards, additions or deletions to the standards, providing clarification or response to public commenters, modifying procedures or other projects as needed. Members of the Task Groups can be members of the Consensus Group.

4.10.1 Balance is not required for Standards Writing Task Group and shall be made up of from one (1) to ten (10) persons, as necessary.

4.10.2 Standards Writing Task Groups decision making is based on consensus among

¹ The affiliation of a consensus body member refers to the entity that the consensus body member represents, which may or may not be that person's employer.

members present at Task Group meetings.

5 Meetings

Consensus Group meetings are held to consider:

- 1) comments from the public or other directly and materially interested parties received through the public portal including draft writing groups established by ACCT
- 2) draft standards from the Task Group(s)
- 3) and process views and objections from any source
- 4) and to address administrative or organizational items affecting the function of the Consensus Group.

5.1 Open Meetings. Meetings of the Consensus Group shall be open to all persons having a direct and material interest. At least four weeks' notice of meetings shall be given by the Secretariat. The notice shall describe the purpose of the meeting and shall identify a readily available source for further information. An agenda shall be available and shall be distributed in advance of the meeting to members and to others expressing interest. The Secretariat may optionally maintain a permanent mailing list of other directly and materially interested parties. Meetings shall be held at a convenient location or may be conducted by conference calls or by simultaneous video-linked locations. Individuals who are not Consensus Group members must register their desire to participate with the Secretariat.

5.2 Quorum. A majority of the members of the Consensus Group shall constitute a quorum for the transaction of business. If a quorum is not present, actions may be taken subject to confirmation by letter ballot or at a subsequent meeting.

6 Voting

6.1 Standards Development Votes. For votes related to standards development, each member of the Consensus Body shall vote one of the following positions:

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

6.2 Other Votes. For votes related to membership and officer-related issues, each member of the Consensus Group shall vote one of the following positions:

- a) affirmative
- b) negative
- c) abstain

6.3 Voting Period. The voting period shall end four (4) weeks from the date of issue or as soon as all ballots are returned, whichever comes earlier. An extension may be granted at

the Chair's option, when warranted.

A follow-up letter requesting immediate return of the ballot shall be sent, as appropriate, to members whose votes have not been received within ten (10) working days before the ballot closes.

6.4 Actions Requiring Approval by a Majority. The following actions require approval by a majority of the membership of the Consensus Group either at a meeting or by letter ballot:

- a) election of officers
- b) recommendation to the Secretariat for the formation of a Standards Writing Committee, including its procedures, scope, and duties
- c) recommendation of disbandment of a Standards Writing Committee
- d) addition of new Consensus Group members and confirmation of their interest categories
- e) removal of a Consensus Group member
- f) issuance of a formal interpretation of a standard or information relating to a standard
- g) revisions to these Procedures
- h) approval of minutes
- i) authorization of a letter ballot

6.5 Actions Requiring Approval by Two-Thirds of Those Voting. The following actions require a letter ballot or an equivalent, formal, recorded vote with approval by at least a majority of the membership and at least two-thirds of those voting, excluding abstentions. All members of the Consensus Group shall be given the opportunity to vote on the standards-related actions described below. Proxies will not be allowed. When votes for the items below are recorded at a Consensus Group meeting, those members who are absent shall be given opportunity to vote before or after the meeting, with all absentee votes being verified:

- a) approval of a new standard or reaffirmation of an existing one
- b) approval of revision or addendum to part or all of a standard
- c) withdrawal of American National Standards
- d) withdrawal of a project for developing an American National Standard

6.6 Authorization of Letter Ballots. A letter ballot may be authorized by any of the following:

- a) majority vote of those present at a Consensus Group meeting
- b) the Chair
- c) the Secretariat
- d) petition of five or more members of the Consensus Group

6.7 Public Review¹.

6.7.1 Notification That Standard Will Be Developed. At the initiation of a project to develop an American National Standard, notification shall be made to ANSI using the Project Initiation Notification System Form (PINS). Any comments arising from the PINS shall be addressed in accordance with Sections 2.4, 2.5, and 2.6 of the *ANSI Essential Requirements*.

6.7.2 Public Review of Standard. Proposals for new American National Standards or reaffirmation, revision, or withdrawal of existing American National Standards shall be transmitted to ANSI for listing in *Standards Actions* for comment and shall be posted on the Association for Challenge Course website and may be published in other media and industry-related publications.

6.7.3 Processing Comments. Written comments shall be accepted for sixty days, unless the proposed standard is available electronically, then comments need only be accepted for forty-five days. For limited revisions (if the full text of the revision(s) can be published in ANSI's *Standards Action*), the public review period shall be limited to thirty days. Negative commenters are to be encouraged to include a reason and, preferably, specific wording or actions which would resolve the objection. Within thirty days of the close of this period of public review, the Secretariat shall report the responses, including negative views, to the chairperson.

6.8 Disposition of Views and Objections. All comments submitted during a public comment period or consensus body vote will be responded to in writing, with the reasons therefor, by the Consensus Group. Objections shall be referred to the Consensus Group Chair or to the Standards Writing Committee responsible for the part of the standard in question to attempt an informal resolution. The Consensus Group may request the Secretariat to obtain further information from the objector or attempt to correspond with the objector directly and reach resolution. Disposition of views and objections will be processed as quickly as possible.

The Consensus Group will confirm, in writing, the resolution of any objection from all public review commenters by sending a written communication to the public commenter with the proposed resolution of comments and the reasons therefore stating that if ACCT does not hear back from the objector within 10 working days then the objection will be considered resolved or the public review commenter may provide a written communication indicating that his/her objection is resolved.

¹6 Although a 60-day public comment period is not required in all instances, a number of provisions in the ANSI Essential Requirements, when read in combination, satisfy the WTO's 60-day rule. Before adopting a standard, ANSI-Accredited Standards Developers shall allow a period of at least 60 days in total for submission of comments on the draft standard if requested by an interested party within the territory of a Member of the WTO. Exceptions outlined in the rule are permitted due to issues of safety, health or environment. (See WTO Agreement on Technical Barriers to Trade (TBT), Annex 3 Code of Good Practice for the Preparation, Adoption and Application of Standards (CGP) Substantive Provision L.)

Objections which were determined to be not related to the current standard under review are to be considered as proposals for new work and the submitter is to be notified that this action is being taken.

Each unresolved objection, attempt at resolution, and substantive changes shall be reported/recirculated to the Consensus Group in order to afford members the opportunity to respond, reaffirm or change their votes. Recirculation ballots will indicate that unless a response is obtained by the given date, the Consensus Group member's original vote will be maintained. Substantive changes are subject to letter ballot and a new public review period. All unresolved objectors shall be informed in writing of their right to appeal and of the appeals process contained in Section 11, *Appeals*

6.9 Report of Final Result.

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

7 Submittal of Standard

Upon completion of the procedures for voting, disposition of views and objections, and appeals, the proposed standard shall be submitted to ANSI by the Secretariat. The timeliness of this submittal shall be in accordance with the *ANSI Essential Requirements*.

7.1 Information Submitted. The Secretariat shall submit to ANSI all the necessary evidence of compliance with ANSI's criteria of approval of an American National Standard in accordance with Section 4.2.1.1 in the *ANSI Essential Requirements*.

7.2 Portions of a published document that were not approved through this consensus process shall not contain requirements necessary for conformance with the approved American National Standard (ANS) and (1) shall be clearly identified at the beginning and end of each such portion of the document, or (2) such information shall be overprinted on the cover page. These portions of the document shall be marked with the following, or similar, explanatory language:

The information contained in this [portion of a document] is not part of this American National Standard (ANS) and has not been processed in accordance with ANSI's requirements for an ANS. As such, this [portion of a document] may contain material that has not been subjected to public review or a consensus process. In addition, it does not contain requirements necessary for conformance to the standard.

8 Termination of Consensus Group

Requests to terminate the Consensus Group shall be made in writing to the Secretariat and shall include at least the following:

- a) reasons why the Consensus Group should be terminated

- b) the name(s) of the organization(s) that will assume responsibility for maintenance of any existing American National Standard(s) that are the responsibility of the Consensus Group

9 Withdrawal of Standard

If the Secretariat approves the withdrawal of one or more American National Standards, the Secretariat shall notify ANSI with the request to withdraw the standard. A vote of the Consensus Group is not required for this withdrawal, although a recommendation ballot may be conducted.

10 Interpretation of Standards

Requests for formal interpretation of a standard shall be in writing and directed to the Secretariat. The Secretariat shall acknowledge the request within thirty days of receipt and may issue a tentative interpretation or refer to a previous interpretation. No interpretation is binding unless it is approved by a majority of the Consensus Group in a meeting or by letter ballot in accordance with Section 6.4, *Actions Requiring Approval by a Majority*. The Chairperson of the Consensus Group may appoint a task committee or an ad hoc committee to develop a proposed interpretation for vote by the Consensus Group. All responses shall be provided to the requestor in writing by the Secretariat. Any person involved in ACCT standards activities who responds to a question about an ACCT standard shall clearly state that this is their personal opinion and not an official interpretation.

11 Appeals

Directly and materially interested parties who have been or will be adversely affected by a standard within the Secretariat's jurisdiction, or by the lack thereof, shall have the right to appeal procedural actions or inactions of the Consensus Group or the Secretariat including whether a technical issue was afforded due process. Appeals shall be submitted with a \$500.00 processing fee. A fee reduction or waiver may be requested.

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

11.2 Response. Within thirty days after receipt of the complaint, the Secretariat representative shall respond in writing to the complainant, specifically addressing each allegation in the complaint to the extent possible. The Secretariat shall attempt to resolve the complaint informally.

11.3 Appeals Panel and Hearing. At the request of the appellant per Section 11.1, the Secretariat shall appoint an appeals panel to hold a hearing on a date agreeable to all participants, with at least 15 working days' notice, but no more than 30 working days' notice.

Appeals hearings may be held by conference call. The appeals panel shall consist of three individuals who have not been directly involved in the dispute and who will not be materially affected by any decision made in the dispute. If ACCT and the appellant cannot agree on the appeal panelists within 15 working days, ACCT may appoint the appeal panel.

11.4 Conduct of the Hearing. The complainant has the responsibility of demonstrating improper actions or inaction, the adverse effects therefrom, and the efficacy of the requested remedial action. The Secretariat has the responsibility to demonstrate that the Consensus Group took all actions in question in compliance with these procedures and that the requested remedial action would be ineffective or detrimental.

11.5 Decision. The appeals panel shall render its decision in writing within 30 days of the hearing, stating its findings of fact and conclusions, with reasons therefor, and citing the evidence. The Secretariat shall send to the complainant a written decision and inform the Consensus Group of the decision of the appeals panel, which shall be binding and final on all concerned.

11.6 Further Appeal. Further appeal may be made directly to ANSI, but only if the above process has been followed to its conclusion. If the complainant gives notice to the Secretariat that such a further appeal to ANSI is intended, all relevant materials, including the decision made by the appeals panel set forth above, shall be submitted to ANSI by the Secretariat.

12 Parliamentary Procedures

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

13 Metric Policy

All units found in the standards will be either English units plus standard international units (metric units) or standard international units alone.

14 Patent Policy

The ANSI Patent Policies, as specified in the *ANSI Essential Requirements*, Section 3.1, shall apply to all American National Standards.

15 Record Retention Policy

Records shall be prepared and maintained to provide evidence of compliance with these procedures. Records concerning new, revised, or reaffirmed American National Standards shall be retained for one complete standards cycle.

Records concerning withdrawals of all American National Standards shall be retained for at least five years from the date of withdrawal.

All records, including financial, related to the development and maintenance of standards will

reside at the offices of the Association for Challenge Course Technology.

16 Commercial terms and conditions Policy

The Secretariat shall comply with ANSI's Commercial terms and conditions Policy as set forth in the *ANSI Essential Requirements*.

17 Notification of Standards Development and Coordination Policy

ACCT shall abide by the ANSI policy on notification of standards development and coordination, as specified in the *ANSI Essential Requirements*, Section 2.5.

18 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.

19 Periodic maintenance of American National Standards

Periodic maintenance is defined as the maintenance of a standard by review of the entire document and action to revise or reaffirm it on a schedule not to exceed five years from the date of its approval² as an American National Standard.

In the event that a PINS or BSR-8/108 has not been submitted for an American National Standard within five years after its approval, ACCT may request an extension of time to reaffirm or revise the standard or shall withdraw the standard. The request for an extension of time shall be submitted to ANSI within thirty days following five years after the approval date of the American National Standard. Requests for extensions shall provide the program and schedule of work that will lead to revision, reaffirmation, or withdrawal. The extension may be granted by the ExSC or its designee.

No extension of time beyond ten years from the date of approval shall be granted for action on a standard. Except in the case of a national adoption, an ANS maintained under the periodic maintenance option shall not retain its status as a current American National Standard beyond ten years from the date of approval. Such approval automatically expires on the tenth anniversary date of approval as an American National Standard.

²“Approval” as an ANS refers to an action to approve a new document or reaffirm or revise an existing ANS.