



## OSAC Standards/Guidelines Registry Approval Process: RA-1200 + RA-1800 Appeals

### *Introduction*

The *Organization of Scientific Area Committees (OSAC) Standards/Guidelines Registry Approval Process* evaluates whether standards and guidelines approved for addition to the *OSAC Registry of Approved Standards* and the *OSAC Registry of Approved Guidelines* are fit-for-purpose and based on sound scientific principles. The registry approval process includes a 30-day open comment period during which interested parties can provide feedback and recommendations on the proposed addition. These comments are reviewed and adjudicated prior to the Scientific Area Committee (SAC) or Forensic Science Standards Board (FSSB) making a decision to add a document to a registry.

This *OSAC Standards/Guidelines Registry Approval Process: RA-1200 + RA-1800 Appeals*, would be initiated after the SAC approves a guideline for addition to the *OSAC Registry of Approved Guidelines*, or after the FSSB approves a standard for addition to the *OSAC Registry of Approved Standards*, and follows these general guidelines:

1. The appeals process is only for occasions when a commenter feels that their comments weren't fully addressed by the SAC subcommittee or that the adjudication process wasn't completed in accordance with the adjudication procedure (see *RA-700 Adjudication of Public Comments Procedure*);
2. A successful appeal would result in the SAC Subcommittee being asked to perform a secondary adjudication of the comment (this step could include communication between the commenter and SAC Subcommittee);
3. Following a secondary adjudication, a document would then move forward through the approval process unless sufficient reason was identified to prevent the document from being approved (see *RA-700*).
4. If an appeal is denied, the process to add the document to an OSAC Registry will proceed.

### *Purpose*

This document outlines the process for a commenter to appeal the results of comment adjudication performed by a SAC Subcommittee, as well the process for how the appeal will be addressed.

### *Scope*

Appeals may only be submitted by an individual or by a representative from an OSAC Resource Committee that provided a comment during the open comment period and would like to appeal the results of adjudication of that comment. Submitted appeals must relate to the comment adjudication *process*, not technical issues. Examples of reasons for appeals include but are not limited to:

- Not addressing an entire comment(s)
- The belief that the original comment was misunderstood or misinterpreted
- The OSAC did not follow *RA-700 Adjudication of Public Comments Procedure*



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### *Responsibility*

An Independent Review Panel, which consists of two Quality Infrastructure Committee (QIC) members, one FSSB member or OSAC Affairs member, and two technical experts (not from the originating SAC or SAC Subcommittee), will review and adjudicate all appeals.

### *Appeals Process*

#### **A. Submission of Appeals**

1. The appeals process is opened for a 15-calendar day period. Those individuals that submitted a comment during the comment period will be notified of the adjudication results and provided with an opportunity to appeal.
2. Appeals shall be submitted only by the person or group that provided a comment, and would like to appeal the results of adjudication of that comment.
3. Appeals shall be submitted only if they relate to a comment(s) that was provided during the 30-day comment period of the standard or guideline being considered.
4. Appeals shall include, at a minimum:
  - a. Name of appellant
  - b. Identification of the comment submitted
  - c. Copy of the adjudication
  - d. Rationale for appeal
  - e. Objective evidence to support appeal (optional)
5. After 15 calendar days, the appeals submission process will be closed. If applicable, appeals received after the 15-day appeals period will be acknowledged, identified as "without standing" and closed.
6. Appeals received that do not meet requirements A.4.a-e listed above will be identified as "without standing" and closed.
7. Following the 15-day appeal period, all appeals will be acknowledged and referred to the QIC Independent Review Panel task group.

#### **B. Review of Appeals**

1. Upon closure of the 15-day appeal period, all appeals are forwarded to the QIC. The QIC notifies the originating SAC and FSSB of the appeal(s) and forwards the appeal(s) to the Independent Review Panel.
2. Independent Review Panel
  - a. The Independent Review Panel task group consists of two members of the QIC, one member of the FSSB or OSAC Affairs and two technical experts chosen from available OSAC affiliates.
    - b. Panel membership is a semi-permanent appointment by the QIC, FSSB, and OSAC Affairs as applicable and will consist of:
      - i. Two QIC members selected by the QIC will review all appeals.



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- ii. One FSSB member selected by the FSSB will review appeals to SAC decisions.
      - iii. One OSAC Affairs member will review appeals to FSSB decisions.
    - c. Panel membership also includes two technical experts who will be randomly selected from a pool of interested affiliates who have the requisite knowledge in the subject area of the appeal.
  3. For each appeal received, the Independent Review Panel will be notified and provided with a copy of the appeal. The Independent Review Panel will then select two technical experts with the requisite knowledge in the subject area of the appeal and schedule time to review the appeal and supporting documentation.
    - a. The Panel shall not include any members from the originating SAC or Subcommittee, nor the Appellant
  4. All appeal(s) must be reviewed and a final determination made within 30 calendar days of closure of the appeal period.
  5. In addition to those items listed in section A.4, the Panel may request additional documentation from the SAC, subcommittee, or from the Appellant to assist in the review of the appeal.
- C. **Document Results of Appeals.** All Panel determinations will be documented and the results provided to the originating SAC and Appellant.
  1. A successful appeal would result in the SAC Subcommittee being asked to perform a secondary adjudication of the comment.
  2. Following a secondary adjudication, a document would then move forward through the approval process unless sufficient reason was identified to prevent the document from being approved.
- D. **Finalize Appeals.** All determinations made by the Panel are final.
- E. **Close Appeals.** The Panel determination and rationale are forwarded by the QIC to the FSSB for standards and to the SAC for guidelines, and saved in the proper folder in Kavi.