

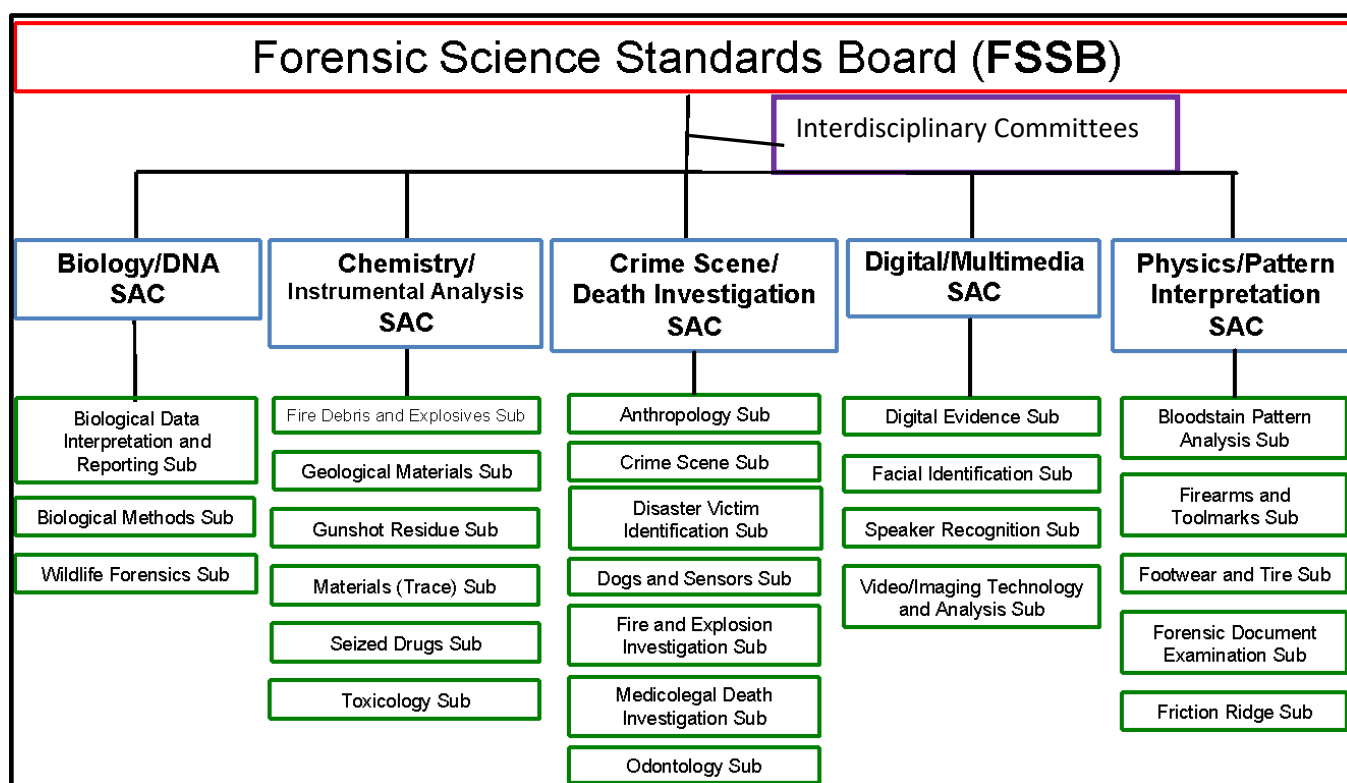


Organization of Scientific Area Committees (OSAC) for Forensic Science

CHARTER AND BYLAWS

1. Introduction

The National Institute of Standards and Technology (NIST) has primary responsibility to coordinate and facilitate the development of forensic science standards. To carry out its assigned responsibilities, NIST devised a multi-level organization, the Organization of Scientific Area Committees (OSAC) for Forensic Science, consisting of Scientific Area Committees (SACs) and Interdisciplinary Committees that report to a Forensic Science Standards Board (FSSB). Each of the SACs oversee discipline-specific subcommittees (SCs). Although the target audience for consensus-based standards are forensic practitioners, the broader audience includes the justice system and its community of stakeholders.



1.1 Mission

The mission of the Organization of Scientific Area Committees (OSAC) for Forensic Science is to strengthen the nation's use of forensic science by facilitating the development of scientifically sound standards, and by promoting the adoption of those standards in the forensic science community.

1.2 Aims

The aims of the OSAC are to:

- facilitate the development of standards and evaluate standards for placement on the OSAC Registry
- promote the use of standards on the OSAC Registry in the forensic science community, by accreditation and certification bodies, and the legal system
- provide insight on each forensic science discipline's research and development needs
- enlist a broad community of interested individuals and institutions in these efforts
- establish and maintain working relationships with pertinent organizations.

2. **Administration**

The Forensic Science Standards Board (FSSB) shall provide overall direction to the OSAC. The FSSB shall determine OSAC policies and procedures and shall take such actions as it considers necessary to carry out the objectives of the OSAC.

NIST shall be responsible for OSAC Administration and shall manage the financial affairs of the OSAC in accordance with procedures prescribed by the federal government. Only NIST shall have the authority to enter into contracts for the OSAC.

NIST in its role as the OSAC Administrator is responsible for:

- managing all aspects of the internal OSAC operations, including providing the human, financial and technology resources in support of OSAC directed activities
- coordinating with the Forensic Science Standards Board regarding OSAC direction and deliverables
- ensuring appropriate OSAC documents are publicly available online.

3. **Core Principles**

All standards approved for inclusion on the OSAC Registry must be developed by a process that follows the core OSAC principles of openness, balance, consensus, and harmonization:

3.1 Openness

The work of the OSAC shall be open for public review as follows:

- Prior to listing a document on the OSAC Registry, an open comment period regarding the posting will be provided
- Information about OSAC activities shall be publicly available via the OSAC website
- SACs shall deliver a minimum of one (1) public update per year with opportunities for open comment.

3.2 Balance

The OSAC shall balance representation across stakeholders.

3.3 Consensus

Within the OSAC, consensus means the general agreement of members within each OSAC unit. The Registry approval process of the OSAC requires the pertinent Scientific Area Committee and the Forensic Science Standards Board to ensure consideration of all views, proposals, and objections, and to endeavor to reconcile them. Where unanimous support is not possible, the OSAC shall strive to make decisions that are supported by the available information and to document opposing views or abstentions. The achievement of consensus shall be based on thorough examination of issues, including the discussion of dissenting opinions and the resolution of disagreements.

3.4 Harmonization

The OSAC standards efforts shall encourage harmonization to minimize redundant, overlapping or conflicting standards.

4. Membership

4.1 Eligibility

The OSAC shall have Members and Affiliates. Members are those who have been selected to serve on a Board, Committee, or Subcommittee of the OSAC. Affiliates are those who have declared their interest in being a part of the OSAC community through submission of a completed OSAC Application and have been chosen from the OSAC applicant database to serve on one or more Task Groups or Technical Review Panels.

The OSAC shall select Members and Affiliates in accordance with the application and selection policies as defined by the FSSB. The FSSB shall be responsible for all associated policies and procedures regarding Membership, including, but not limited to, term limits, lifetime limits, vacancies, and selection of professional forensic science organizations seated on the FSSB.

OSAC Members may include:

- federal, state, local and tribal forensic science practitioners;
- private forensic science practitioners;
- laboratory managers;
- academicians;
- researchers;
- statisticians;
- measurement scientists;
- human factors specialists;
- quality managers; and
- officers of the court.

Membership resides with the individual and not his or her employer or organization, with the exception of positions on the Forensic Science Standards Board (FSSB) representing professional forensic science organizations

The FSSB may add or remove professional forensic science organizations' representative positions by a two-thirds (2/3) majority vote of the full FSSB.

OSAC Members shall be appointed in staggered three-year terms. New OSAC Members shall be selected and appointed as terms expire. OSAC Members can serve a maximum of two consecutive terms in any single unit, followed by a minimum one-year break in service before serving again on the same OSAC unit. The unit is based on the member's appointed position and shall be associated with the highest level of the OSAC on which the member serves (e.g., SC Chairs are SAC positions). Members who have served two consecutive terms in a single unit or who request a break in service, may become Affiliates.

Affiliates do not have voting privileges and term limits do not apply. Affiliates serve at the pleasure of the unit Chair unless superseded by a two-thirds (2/3) majority vote of the entire FSSB to suspend or terminate their activity. Suspension or termination of an Affiliate, either by the unit Chair or by the FSSB, is effective immediately without appeal.

4.2 Selection of FSSB SAC, and Interdisciplinary Committee Members¹

4.2.1 Nominations

The OSAC shall nominate and appoint Members and Affiliates in accordance with the nomination and appointments policies and procedures, as defined by the FSSB.

No person shall be denied Membership for reason of race, color, religion, sex, national origin, age, disability, or sexual orientation. OSAC Members shall be US Citizens or non-US citizens who reside in the United States.

Nominations for individuals to fill the positions on the Forensic Science Standards Board (FSSB) representing professional forensic science organizations shall come from the professional organization.

4.2.2 Preparation of a Slate of Selected Applicants

The Nominations Task Group shall select a slate of applicants from the pool of eligible applications after verifying the eligibility of the applicant to fulfill the position requirements.

5. OSAC Code of Responsibility

The OSAC is composed of professionals assembled in a collaborative effort to strengthen the nation's use of forensic science. All OSAC members shall annually sign the OSAC Code of Responsibility.

6. Censure, Suspension or Termination of Membership

Any OSAC Member may be censured, suspended or terminated by a two-thirds (2/3) vote of the entire FSSB for failure to satisfy OSAC participation/work product contribution requirements or for cause, including but not limited to violating the OSAC Code of Responsibility, engaging in any conduct, either within or outside of OSAC, that is contrary to the interests of OSAC or to the advancement of OSAC goals.

¹ Does not apply to the selection of Subcommittee and Task Group members. See the Subcommittee Terms of Reference for more information on this process.

7. OSAC Structure

7.1 Forensic Science Standards Board

The OSAC shall have a Forensic Science Standards Board (FSSB). The FSSB shall consist of the Chairs of each Scientific Area Committee (SAC), representatives from national forensic science professional associations, researchers, members-at-large, one NIST representative (Ex-Officio Member) as outlined in the FSSB Terms of Reference (ToR). Additional Members-at-large may be appointed with the approval of a two-thirds (2/3) majority vote of the full FSSB.

7.2 Committees

OSAC shall consist of Scientific Area Committees (SACs), SAC Subcommittees and Interdisciplinary Committees. The FSSB shall consult NIST for all associated policies and procedures regarding the establishment, merging, bifurcation and/or dissolution of Committees (e.g., Scientific Area Committees (SACs), SAC Subcommittees, and Interdisciplinary Committees).

7.3 Task Groups

OSAC shall have Task Groups appointed to perform specific tasks. Task Groups can be formed under the Forensic Science Standards Board (FSSB), a Scientific Area Committee (SAC), a SAC Subcommittee or an Interdisciplinary Committee. Task Groups are composed of OSAC Members or OSAC Members and OSAC Affiliates.

7.3.1 FSSB Resource Task Groups

OSAC shall have dedicated Task Groups comprised of Subcommittee Members and Affiliates, focusing on:

- Human Factors
- Legal
- Quality
- Statistics.

An FSSB member will be appointed to each FSSB Resource Task Group.

7.4 Technical Review Panels

OSAC shall have Technical Review Panels to perform technical reviews of proposed OSAC Standards during development. Technical Review Panels will be formed as needed and will be composed of OSAC Members and Affiliates. Technical Review Panel members shall be appointed according to documented policies and procedures.

7.5 Liaisons

An FSSB Member shall be appointed to each FSSB Resource Task Group and each Interdisciplinary Committee.

8. Meetings

FSSB meetings, Scientific Area Committee meetings, SAC Subcommittee meetings, and Interdisciplinary Committee meetings shall be conducted in accordance with each unit's Terms of

Reference (ToR). Task Group meetings shall be conducted in accordance with their respective OSAC unit's ToR.

9. Publications

OSAC publications are not legal documents, laws or regulations.

10. Lobbying

OSAC Members and Affiliates shall not engage in lobbying related to forensic science as part of their OSAC activities.

11. Commercial Activities

The OSAC shall not design, promote or sell products or technologies.

12. Proprietary Rights

12.1 General

Except for policies and procedures that may be issued by NIST to the contrary, all information disclosed by any participant during any official meeting or activity of OSAC, including FSSB meetings, Committee or Subcommittee meetings, Task Group or unit meetings, whether in-person, virtual or telephonic, and including related correspondence including but not limited to emails, shall be deemed to have been disclosed on a non-confidential basis, but without waiving any rights of Federal or international statutory patent or copyright, except as set forth herein.

No right, express or implied, to any copyright, trademark, or any other Intellectual Property right of any Member or Affiliate is granted to OSAC or any other Member or Affiliate solely as a consequence of disclosing information as set forth above, provided, that the disclosing Member or Affiliate agrees to grant the non-exclusive, irrevocable, royalty-free, worldwide right to NIST and/or NIST's contractor(s) involved in OSAC Administration, to use the information in connection with the development of the OSAC work product for which the information was disclosed, and to use, and grant permission to use, the work product's content derived from the information, in any format or media without restriction.

No Member or Affiliate shall be required to exchange proprietary information with any other Member or Affiliate solely because of being a Member or Affiliate of OSAC.

12.2 Copyright

OSAC work products subject to copyright include any standards, policies, procedures, or other documents ("Works"), and copyright in such Works will be held by NIST as OSAC Administrator or by NIST's contractor(s) involved in OSAC Administration.

Any rules or policies adopted by NIST shall control all rights of ownership and publication related to Works, the specific license rights to which Members or Affiliates may be entitled, and fees, if any, which may be charged to Members, Affiliates and third parties for access to and use of such Works.

13. Record Retention

All records shall be managed according to a formal records management policy as defined by policies and procedures set out by NIST (NIST Order 1601.00 Records Management). Records are maintained

in accordance with NARA-approved Records Retention Schedule. All OSAC records are subject to the Freedom of Information Act (FOIA).

14. Amendments

The FSSB may amend the OSAC Charter and Bylaws with approval of at least a two-thirds (2/3) vote of the entire FSSB.

15. Dissolution and Transition

NIST reserves the right to dissolve OSAC or transition the OSAC to another organization.