

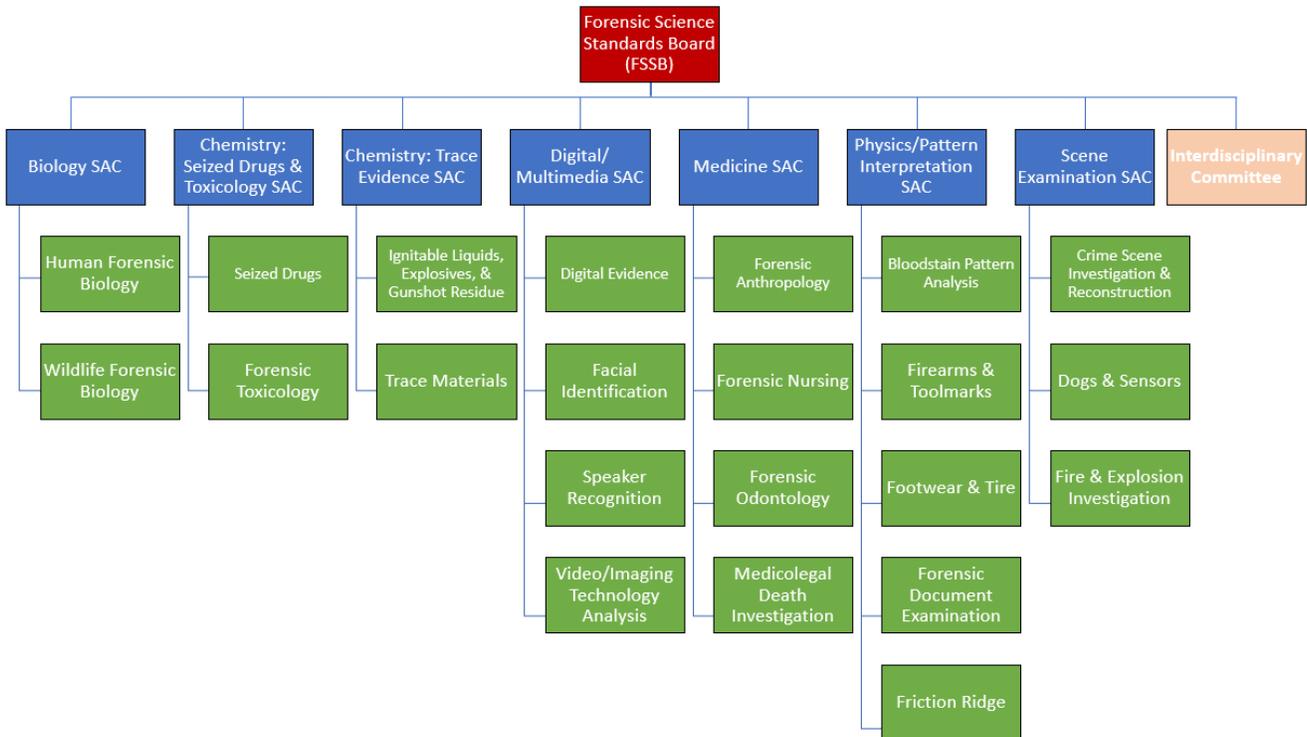


# Organization of Scientific Area Committees (OSAC) for Forensic Science

## 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 in the United States. To carry out its responsibilities assigned by Congress, NIST devised 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 SAC oversees discipline-specific subcommittees (SCs). Although the primary audience for consensus-based standards are forensic practitioners, the broader audience includes the organizations and individuals who comprise the justice system.



#### 1.1 Mission

The mission of OSAC 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.

## 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 by 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; and
- 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 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 work products; and,
- 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 to the public;
- information about OSAC activities shall be publicly available via the OSAC website; and,
- 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 or across OSAC units. The Registry approval process requires consideration of all views, proposals, and objections. When 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 Scientific and Technical Review Panels (STRPs).

The OSAC shall select members and affiliates in accordance with the application and selection procedures as defined by the FSSB. The FSSB shall be responsible for all associated 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 an 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 and are eligible for reappointment for a second three-year term in the same OSAC unit. 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. New OSAC members shall be selected and appointed as terms expire.

Affiliates do not have voting privileges and term limits. They 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 Members<sup>1</sup>

### 4.2.1 Nominations

OSAC shall nominate and appoint members and affiliates in accordance with the nomination and appointments procedure, as defined by the FSSB.

No person shall be denied membership because 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 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 candidates from the pool of recommended and eligible applications after verifying the eligibility of the applicant to fulfill the position requirements

## 5. OSAC Code of Responsibility

OSAC is composed of professionals assembled in a collaborative effort to strengthen the nation's use of forensic science. When submitting an application, OSAC members, STRP members, and affiliates have acknowledged that they have read and agree to abide by the OSAC Code of Responsibility.

## 6. Censure, Suspension or Termination of Membership

The FSSB may censure, suspend or terminate an OSAC member or affiliate by a two-thirds (2/3) vote of the entire FSSB for failure to satisfy OSAC participation requirements, for violations of the OSAC Code of Responsibility, or for violations of state or federal criminal law.

## 7. OSAC Structure

### 7.1 Forensic Science Standards Board

OSAC shall have a Forensic Science Standards Board (FSSB) consisting of the Chairs of each Scientific Area Committee (SAC), representatives from national forensic science professional associations, researchers, members-at-large, and one NIST representative (Ex-Officio Member) as

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

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 of all of the FSSB.

## 7.2 Committees and Subcommittees

OSAC units shall include SACs, Subcommittees and Interdisciplinary Committees. The FSSB shall consult NIST with respect to policies and procedures for the establishment, merging, bifurcation or dissolution of units.

## 7.3 Task Groups

OSAC shall have Task Groups appointed to perform specific tasks. Task Groups can be formed under the FSSB, a SAC, a Subcommittee or an Interdisciplinary Committee. Task Groups are composed of OSAC members or OSAC members and OSAC affiliates.

### 7.3.1 FSSB Task Groups

OSAC shall have dedicated Task Groups comprised of Subcommittee members and affiliates, focusing on:

- Human Factors
- Legal
- Quality Assurance
- Statistics.

## 7.4 Scientific and Technical Review Panels

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

## 7.5 Liaisons

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

## **8. Meetings**

Meetings of the FSSB, SACs, Subcommittees, and Interdisciplinary Committees shall be conducted in accordance with each unit's Terms of Reference (ToR). A Task Group's meetings shall be conducted in accordance with its OSAC unit's ToR and the Task Group'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**

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 provided by any participant during or in relation to any official meeting or activity of OSAC, whether in-person, virtual or telephonic, and including emails and other correspondence, shall be deemed to have been provided on a non-confidential basis. Such disclosure does not waive any rights of Federal or international statutory patent or copyright, except as set forth herein.

No right, express or implied, to the intellectual property of any member or affiliate is granted to OSAC or any other member or affiliate solely as a consequence of providing information as set forth above, except that the providing member or affiliate grants the non-exclusive, irrevocable, royalty-free, worldwide right to NIST 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 provided, and to use, and grant to others the permission to use, the work product's content derived from the information, in any format or medium without restriction.

No member or affiliate shall be required to gift or exchange proprietary information to or 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 standards and other documents ("Works") such as OSC Technical Guidance Documents. Copyright in these 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 kept or disposed of according to a formal records management policy as defined by policies and procedures set out by NIST (currently, NIST Order 1601.00 Records Management). Records are maintained in accordance with the OSAC NARA-approved Records Retention Schedule (DAA-0167-2020-0002). All OSAC records are subject to the Freedom of Information Act, 5 U.S.C. § 552.

## **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 to transfer control and support to another organization.