IEEE PROJECT 802

LAN / MAN STANDARDS COMMITTEE (LMSC)

SPONSOR POLICIES AND PROCEDURES

As approved XXXX~~11/14/2008~~

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Prologue

Sections of this document with grey highlighting are dictated by AudCom and shall not be changed by the IEEE 802 Executive Committee, or other sponsors.

1. Introduction

In today's marketplace, standards development plays a critical role in product development and market share. In the IEEE, the responsibility for how a standard originates and evolves is managed by a sponsor. It is essential in the management of a standard's development to avoid any actions by the Sponsor or the participants that result in a violation of procedures.

Adherence to these Operating Procedures is an essential asset in determining the applicability of IEEE's indemnification policy.

These Operating Procedures outline the orderly transaction of activities of the IEEE 802 LAN / MAN Standards Committee (LMSC) Executive Committee which shall be referred to as the 'Sponsor' throughout this document. For the development of standards, openness and due process must apply, which means that any individual with a direct and material interest who meets the requirements of these Operating Procedures has a right to participate by

a) Expressing a position and its basis,
b) Having that position considered, and
c) Appealing if adversely affected.

Due process allows for equity and fair play. In addition, due process requires openness and balance (i.e., the standards development process should strive to have a balance of interests and not to be dominated by any single interest category). However, for the IEEE Standards Sponsor ballot, there shall be a balance of interests without dominance by any single interest category.

Participants engaged in the development of standards must comply with applicable federal, state, and international laws. In addition, for standards matters, the latest versions of several documents take precedence over this document in the following order:

New York State Not-For-Profit Corporation Law
IEEE Certificate of Incorporation
IEEE Constitution
IEEE Bylaws
IEEE Policies
IEEE Board of Directors Resolutions
IEEE Standards Association Operations Manual
IEEE-SA Board of Governors Resolutions
IEEE-SA Standards Board Bylaws
IEEE-SA Standards Board Operations Manual
IEEE-SA Standards Board Resolutions
IEEE Computer Society (CS) Constitution
IEEE CS Bylaws
IEEE CS Policies and Procedures Manual (PPM), Section 10
IEEE CS Board of Governors Resolutions

IEEE CS Standards Activities Board Policies and Procedures (SAB P&P)

Robert's Rules of Order (Revised) is the recommended guide on questions of parliamentary procedure not addressed in these procedures.

1.1 IEEE Sponsor scope

The scope of the LMSC is to develop and maintain networking standards and recommended practices for local, metropolitan, and other area networks, using an open and accredited process, and to advocate them on a global basis.

1.2 Organization of the Sponsor

The Sponsor committee shall consist of officers (see clause 3) and other members.

2. Responsibilities of the Sponsor

The Sponsor shall be responsible for at least the following:

a) Developing proposed IEEE standards and ensuring that they are within its scope
b) Initiating and overseeing ballots of proposed IEEE standards within its scope
c) Maintaining the standards developed by the Sponsor in accordance with the *IEEE-SA Standards Board Operations Manual*
d) Responding to requests for interpretations of the standards developed by the Sponsor
e) Acting on other matters requiring Sponsor effort, as provided in these procedures
f) Cooperating with other appropriate standards development organizations
g) Protecting against actions taken in the name of the Sponsor without proper authorization
h) Limiting distribution of the membership roster to appropriate parties
i) Evaluating project proposals and, if a proposed project falls within the Sponsor's scope, deciding whether or not to generate a PAR

3. Officers

The Chair, Vice Chairs, Executive Secretary, Recording Secretary, and Treasurer of the LMSC EC serve, respectively, as the Chair, Vice Chairs, Executive Secretary, Recording Secretary, and Treasurer of the Sponsor.

The officers and members shall organize the Sponsor, oversee compliance with these Operating Procedures, and submit proposed standards approved by the Sponsor balloting group (with supporting documentation) for IEEE-SA Standards Board review and approval as IEEE

standards. Officers should read the training material available through IEEE Standards Development Online.

3.1 Election or appointment of Sponsor officers

All appointed and elected positions become effective at the end of the plenary session where the appointment/election occurs. A plenary session is as defined in the IEEE 802 Operation Manual, subclause 4.1. Prior to the end of that plenary session, persons that have been appointed/elected during the session are considered 'Acting', and do not vote. Persons who are succeeding someone that currently holds the position do not acquire any Sponsor rights until the close of the plenary session.

The term for all officers of the Sponsor ends at close of the first plenary session of each even numbered year. Unless otherwise restricted by these P&P. Sponsor officers may be confirmed for a subsequent term if reappointed or re-elected to the position. Officers appointed and affirmed maintain their appointments until the next appointment opportunity unless they resign, are removed for cause, or are unable to serve for another reason.

LMSC Chair
The Chair is elected by the members of the Sponsor and confirmed by the Standards Activities Board.

LMSC Vice Chair(s)
The LMSC Chair appoints a (1st) Vice Chair and may appoint a 2nd Vice Chair. Vice Chairs are confirmed by the Sponsor.

LMSC Executive Secretary, Recording Secretary, and Treasurer
These positions are appointed by the LMSC Chair and confirmed by the Sponsor.

3.2 Temporary appointments to vacancies

If an office, other than the Chair, becomes vacant due to resignation, removal, or for another reason, a temporary appointment shall be made by the Sponsor Chair. An appointment or election for the vacated office shall be made in accordance with requirements in Clause 3.1.

3.3 Removal of officers

An officer may be removed by a two-thirds approval vote of the Sponsor. Grounds for removal shall be included in any motion to remove an officer. The officer suggested for removal shall be given an opportunity to make a rebuttal prior to the vote on the motion for removal.

3.4 Responsibilities of officers

The Sponsor Chair shall ensure that those Sponsor members who are not Chairs of active WGs have specific areas of interest to cover in order to encourage a wider view to be taken than that specifically covered by the Chairs of active WGs.

3.4.1 Chair

The responsibilities of the Chair include:

a) Leading the activity according to all of the relevant policies and procedures
b) Forming Study Groups, as necessary
c) Appointing a person or group with responsibility for interpretations of all approved standards
d) Being objective
e) Entertaining motions, but not making motions
f) Not biasing discussions
g) Delegating necessary functions
h) Ensuring that all parties have the opportunity to express their views
i) Setting goals and deadlines and endeavoring to adhere to them
j) Being knowledgeable in IEEE standards processes and parliamentary procedures and ensuring that the processes and procedures are followed
k) Seeking consensus of the Sponsor as a means of resolving issues
l) Prioritizing work to best serve the group and its goals
m) Ensuring that the Sponsor and all subgroups comply with the IEEE-SA Patent Policy
n) Chairing Sponsor and LMSC plenary meetings
o) Representing the LMSC at SAB, IEEE-SA Standard Board, and other organizations as required
p) Placing motions for votes by Sponsor members
q) Supervise the operation of subgroups of the Sponsor
r) Prioritizing objectives to best serve the Sponsor and its subroups
s) Taking other administrative actions as required for proper operation of the committee
t) Ensuring that Sponsor members who are not Chairs of active WGs have specific areas of interest to cover

3.4.2 Vice Chair(s)

The vice chair(s) are to assist the Sponsor Chair in the responsibilities delegated to them. The 1st Vice Chair shall carry out the Chair's duties if the Chair is temporarily unable to do so or chooses to recuse him- or herself (e.g., to speak for or against a motion).

3.4.3 Recording Secretary

The responsibilities of the Recording Secretary include:

a) Distributing the agenda at least 15 calendar days before the meeting
b) Recording minutes of each meeting and publishing them within 30 calendar days of the end of the meeting
c) Creating and maintaining the participant roster and submitting it to the IEEE Standards Department annually
d) Being responsible for the management and distribution of Sponsor documentation
e) Maintaining lists of unresolved issues, action items, and assignments
f) Recording attendance of all attendees
g) Maintaining a current list of the names of the voting members of the Sponsor and distributing it to the members upon request
h) Forwarding all changes to the roster of voting members to the Chair
i) Maintaining the IEEE 802 website

3.4.4 Treasurer

The Treasure has the responsibility to assure compliance with SA financial policies and establish guidelines for efficient financial operation of the Sponsor.

The Sponsor Treasurer shall:

a) Maintain a budget
b) Control all funds into and out of the Sponsor's bank account
c) Follow IEEE policies concerning standards meetings and finances
d) Adhere to the *IEEE Finance Operations Manual*

3.4.5 Executive Secretary

The Executive Secretary shall:

a) Oversee all activities related to Sponsor sponsored meeting facilities and services
b) With the treasurer, ensure that Sponsor sponsored sessions are compliant with IEEE financial policies
c) Present summaries of venue options to the Sponsor and sign approved proposals on behalf of 802
d) Coordinate with CSP (Conference Service Providers) and Sponsor Chair on major decisions

e) Oversee maintenance of Sponsor Registration Database

4. Membership

Membership of the LMSC Sponsor is composed of the following voting members:

Chairs of Active WGs
Chairs of the TAGs
Officers as defined in Clause 3

In addition, the LMSC Sponsor may include the following non-voting members:

Members Emeritus
Chairs of Hibernating WGs
Acting positions (prior to confirmation)

All members of the LMSC Sponsor shall be members or affiliates of the IEEE-SA and either the IEEE or the IEEE Computer Society.

4.1 Voting membership

Members of the Sponsor obtain voting rights at the end of the plenary session where they are first confirmed or elected by the Sponsor. If election / appointment and confirmation by the Sponsor occur outside a plenary session, that member receives voting rights immediately upon confirmation.

There are no specific attendance requirements to obtain or maintain voting membership on the Sponsor. However a pattern of not attending meetings may be considered dereliction of duty and result in removal for cause.

Any person to be confirmed by the Sponsor shall, prior to confirmation by the Sponsor, file with the Recording Secretary a letter of endorsement from their supporting entity. This letter is to document several key factors relative to their participation on the Sponsor and is to be signed by both the Sponsor member and an individual who has management responsibility for the Sponsor member. This letter shall contain at least the following:

a) Statement of qualification based on technical expertise to fulfill the assignment
b) Statement of support for providing necessary resources (e.g., time, travel expenses to meetings), and
c) Recognition that the individual is expected to act in accordance with the conditions stated in subclause 5.1 of the IEEE 802 Operations Manual dealing with voting “as both a professional and as an individual expert.”

If an election or appointment is not confirmed by the Sponsor, the person last holding the position will continue to serve until confirmation of an election or appointment is achieved. Should that person be unable or unwilling to serve, the position may be left vacant, or filled by temporary appointment by the Sponsor Chair.

4.2 Review of membership

The Sponsor Chair shall review the Sponsor voting membership list at least annually. Voting Sponsor members are expected to fulfill the obligations of active participation as defined in Clause 4.1. When a voting member is found in habitual default of these obligations, the Chair shall consider the matter for appropriate action, which may include termination of membership.

4.3 Voting membership roster

The roster shall include the following:

a) Title of the Sponsor and its designation
b) Scope of the Sponsor
c) Officers: [name, email address, postal address, employer, affiliation]
d) Other voting members: [name, email address, postal address, employer, affiliation]

5. Subgroups of the Sponsor

The LMSC organization consists of the Executive Committee (Sponsor), Working Groups (WGs), Technical Advisory Groups (TAGs), and Executive Committee Study Groups (ECSGs).

5.1 Working Groups

Comment [MJS1]: Some subsections have been removed or modified to reflect the creation of a generic P&P applicable to all IEEE 802 WG. The general philosophy is actions of the sponsor concerning WG belong here, while actions of the WG belong in the WG P&P.

Prior to the Sponsor forwarding a PAR to the IEEE-SA Standards Board for approval, the Sponsor determines whether the PAR, should it be approved, is to be assigned to an existing Working Group or a new Working Group. If the IEEE-SA Standards Board approves the PAR, and it is a PAR that the Sponsor has determined should be assigned to a new LMSC WG, that WG immediately comes into existence.

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~~**5.1.1 Function**~~

~~The function of a WG is to produce draft standards, recommended practices, or guides. Each draft document produced must be within the scope of IEEE 802 and the scope of the WG as determined by the Sponsor. It must also be within the scope of an approved PAR. After the approval of a draft by the IEEE-SA Standards Board, the WG is responsible for any revision and maintenance actions.~~

~~The WG shall periodically review and confirm that the response to the five criteria (See subclause 5.2 if the IEEE 802 Operations Manual) used to approve its PAR(s) still reflect the state of the project(s) to which they relate. Should a WG need to modify the responses to the five criteria during a projects' development in order to accurately reflect the state of the project, the modified responses shall be submitted to the Sponsor for approval.~~

Comment [mjs2]: Moved in modified form to Clause 5 of the WG P&P.

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~~5.1.2 WG Officers~~

~~IEEE 802 WG Chairs and Vice Chairs shall be elected by the WG and confirmed by the Sponsor. All confirmed positions become effective at the end of the plenary session where the appointment/election occurs. Prior to the end of that plenary session, such persons filling vacancies are considered 'Acting', and do not vote. Persons who are succeeding someone that currently holds the position do not acquire any Sponsor rights until the close of the plenary session. The term for all WG Chairs and Vice Chairs ends at close of the first plenary session of each even numbered year. Unless otherwise restricted by these P&P individuals may be confirmed for a subsequent term if reappointed or re-elected to the position. Officers appointed and affirmed maintain their appointments until the next appointment opportunity unless they resign or are removed for cause.~~

Comment [mjs3]: Already in subclause 6.2 of baseline WG P&P.

Comment [mjs4]: Moved in modified form to Clause 6.3 of the WG P&P.

~~Initial appointments and temporary appointments to fill vacancies due to resignations or removals for cause, may be made by the Chair of the LMSC, and shall be valid until the end of the next plenary session.~~

Comment [mjs5]: Already covered in Cluase 6.2 of WG P&P.

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~~5.1.3~~5.1.1 Deactivation of WGs

If a WG has no active PARs, and is not actively developing a new PAR, then it should be considered to either be placed in hibernation (if it has developed standards or recommended practices in the past that are still current), or disbanded (if it has no current standards or recommended practices)

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~~*5.1.3.1*~~*5.1.1.1 Hibernation of a WG*

A WG can be hibernated at the request of the WG chair and the approval of the Sponsor. The hibernating WG can be returned to active status by the Sponsor in order for the working group to develop a new PAR.

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~~5.1.3.1.1~~5.1.1.1.1 Sponsor Representation

Hibernating WG Chairs become non-voting members of the Sponsor after their WG enters hibernation. The LMSC Chair may appoint new non-voting hibernating WG chairs to replace vacancies as soon as practical, subject to confirmation by the Sponsor at the next plenary

meeting. A non-voting Hibernating WG Chair of the Sponsor shall be recognized as a full member of the Sponsor, having all rights and meeting privileges except the right of voting on Sponsor motions.

~~5.1.3.2~~5.1.1.2 *Disbanding a WG*

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After all standards, recommended practices, and Technical Reports for which a hibernating WG is responsible are withdrawn or transferred to another group or groups, a Sponsor electronic ballot of 30 days minimum duration shall be conducted to determine whether the hibernating WG is to be disbanded.

If the Sponsor electronic ballot on disbanding the group passes, the WG is disbanded. If the ballot fails, then the Sponsor Chair shall determine a future date when the disbanding of the group may be reballoted.

5.2 *LMSC Technical Advisory Groups (TAGs)*

Comment [MJS6]: This subclause was modified so that TAGs may no longer write standards of any kind (including recommended practices).

The function of a TAG is to provide assistance to WG and/or the Sponsor. The TAGs operate under the same rules as the WG, with the following exceptions:

a) A TAG shall not write standards, ~~but may write~~ recommended practices or~~and~~ guides, but may write~~and~~ documents on specialty matters within the purview of the TAG.
b) A TAG is established by the Sponsor at the request of one or more WGs, or at the discretion of the Sponsor.
c) The primary responsibility of a TAG is to provide assistance within its topical area as specifically requested by one or more of the WGs and/or the Sponsor.
d) A document can only be represented as the position of a TAG if it has attained approval by a vote of the TAG. Such votes are considered to be technical votes, and require approval by 75% or more to pass.
e) Between plenary and interim meetings, the Chair of a TAG is empowered to schedule teleconference meetings to allow the TAG to conduct business as required, provided that the date and time of the teleconference and agenda are published on the TAG website and e-mail reflector at least 5 calendar days before the meeting.
f) Votes on TAG documents ~~other than recommended practices and guides~~ may be conducted verbally during teleconference meetings if a majority of the TAG members are present.
g) Votes on TAG documents ~~other than recommended practices and guides~~ may be conducted via electronic balloting. The minimum ballot period shall be 5 calendar days.
h) A TAG shall maintain an area on the LMSC web site to post the minutes, conference announcements, submissions, drafts, and output documents.
i) A TAG shall maintain an e-mail distribution list of its members for making the announcements of teleconferences and availability of important information on the TAG's web site pages.

5.3 Study Groups

Study groups are formed when enough interest has been identified for a particular area of study, such as a new access method or modified use of an existing access method. Two types of Study Groups are specified:

a) An Executive Committee Study Group (ECSG) is initiated by vote of the Sponsor (EC), and the ECSG Chair is appointed by the Sponsor Chair and is approved by the Sponsor. The ECSG Chair has the same responsibilities as a WG Chair but does not have Sponsor voting rights.

b) A Working Group Study Group (WGSG) is initiated by vote of the WG and approved by the EC. The WGSG Chair is appointed and approved by the WG. WGSGs may also be formed by TAGs.

The Study Group shall have a defined task with specific output and a specific time frame established within which it is allowed to study the subject. It is expected that the work effort to develop a PAR will originate in an ECSG or WGSG. A Study Group shall report its recommendations, shall have a limited lifetime, and is chartered plenary session-to-plenary session. A study group is expected to submit a PAR to the EC for consideration by the 2nd plenary session after its initiation. After the Study Group recommendations have been accepted by the parent body, the Study Group will be disbanded no later than the end of the next plenary session.

The decision of whether to utilize an existing WG, or to establish a new WG to carry out recommended work items shall be made by the EC with due consideration of advice from the Study Group.

6. Sponsor Sessions and Meetings

The Sponsor and its subgroups may charge a meeting fee to cover services needed for the conduct of meetings and sessions. The fee shall not be used to restrict participation by any interested parties.

Please note that all IEEE Standards development meetings are open to anyone who has a material interest and wishes to attend. However, some meetings may occur in Executive Session [see subclause 6.3].

6.1 Quorum

A quorum must be identified before the initiation of Sponsor business at a meeting, but if a quorum is not present, actions may be taken subject to confirmation by letter or electronic ballot, as detailed in Clause 7.1. For Sponsors with less than 50 voting members, a quorum shall be defined as a majority of the current total voting membership. For Sponsors with 50 or more voting members, a quorum shall be defined as 50% of the current total voting membership or 26, whichever is greater. Voting members who recuse themselves shall not be counted in the equation to determine whether a quorum exists.

6.2 Conduct

Participants shall demonstrate respect and courtesy towards each other and shall allow each participant a fair and equal opportunity to contribute to the meeting, in accordance with the IEEE Code of Ethics.

6.3 Executive session

Meetings to discuss personnel or business matters (e.g., the negotiation of contracts), or for other appropriate non-public matters (e.g., the receipt of legal advice), may be conducted in Executive Session.

7. Sponsor Vote

Approval of an action requires approval by at least a majority vote of the Sponsor of voting members voting approve or disapprove. Notification of the potential for action shall be included on any distributed agendas for meetings.

These actions include

a) Adoption of new or revised Sponsor procedures, interest categories, or revisions thereof
b) Formation of a subgroup, including its scope and duties
c) Disbandment of subgroups
d) Approval of minutes
e) Approval of public statements
f) Approval of change of the Sponsor scope
g) Approval of termination of the Sponsor
h) Approval of draft standards for balloting
i) Approval to forward PARS to IEEE-SA NesCom
j) Apporval to forward draft standards to IEEE-SA RevCom
k) Other motions brought to the floor by members (when deemed in order by the chair)

7.1 Voting between meetings

The Sponsor shall be allowed to conduct Sponsor business between meetings at the discretion of the Chair by use of a letter or electronic ballot. If such actions are to be taken, they shall follow the rules of IEEE Bylaw I-300.4(4).

7.2 Proxy voting

Proxy voting is not permitted within the Sponsor.

8. Balloting group for a standard

For approval of proposed standards, the Sponsor shall form a balloting group. This group shall be formed using the invitation process in accordance with the IEEE-SA Standards Board Operations Manual.

9. Communications

All correspondence on behalf of the Sponsor shall contain identification of the Sponsor as the source of the correspondence.

9.1 Formal internal communication

If correspondence between subgroups involves issues or decisions (that is, non-routine matters) affecting other subgroups, copies shall be sent to all affected subgroup chairs and subgroup secretaries, and the Sponsor Chair.

9.2 External communication

Inquiries relating to the Sponsor should be directed to the Chair, and members should so inform individuals who raised such questions. All replies to inquiries shall be made through the Chair.

9.3 Public statements for standards

All Sponsor public communications shall comply with the policies of the IEEE-SA Standards Board Operations Manual.

Sponsor public statements shall not be released without prior approval of the Sponsor. Sponsor public statements shall be identified in the first paragraph of the public statement as being specifically the position of the Sponsor. These statements shall be issued by the Sponsor Chair. Such statements shall not bear the IEEE, or the IEEE-SA logos.

9.3.1 Subgroup public statements

Subgroup public statements shall not be released without prior approval of the subgroup. Such public statements also require approval of the Sponsor.

Subgroup public statements shall be identified in the first paragraph of the public statement as being specifically the position of the subgroup. These statements shall be issued by the subgroup chair and shall include the Sponsor Chair in the distribution. Such statements shall not bear the IEEE, the IEEE-SA, or the Sponsor logos.

9.4 Informal communications

Informal communications shall not imply that they are a formal position of the IEEE, the IEEE-SA, the Sponsor, or any subgroup of the sponsor.

10. Interpretations

The procedures stated in the IEEE-SA Standards Board Operations Manual shall be followed.

Interpretations shall be approved by at least a two-thirds approval vote of a group determined by the Sponsor.

11. Appeals

The Sponsor recognizes the right of appeal on procedural grounds. Every effort should be made to ensure that impartial handling of complaints regarding any action or inaction on the part of the Sponsor is performed in an identifiable manner. The appeals process shall be substantially similar to the appeals processes of the IEEE-SA Standards Board. Appropriate attempts should be made within Sponsor subgroups before an appeal is taken to the Sponsor for resolution.

A significant attempt should be made to resolve concerns informally, since it is recognized that a formal appeals process has a tendency to negatively, and sometimes permanently, affect the goodwill and cooperative relationships between and among persons. If the informal attempts to

resolve a concern are unsuccessful and a formal complaint is filed, the following formal procedure shall be invoked.

11.1 Appeals pool

The appeals pool consists of:

a) Current members in good standing of the Sponsor who have attended both the opening and closing Sponsor meetings at two of the last four plenary sessions.
b) Former members of the Sponsor who are WG members in good standing of an active WG having qualified for member status through attendance.
c) Current WG Vice Chairs confirmed by the Sponsor who are WG members in good standing of an active WG having qualified for member status through attendance.

11.2 Appeal brief

The appellant shall file a written appeal brief with the Sponsor Recording Secretary within 30 days after the date of notification/occurrence of an action or at any time with respect to inaction. The appeal brief shall state the nature of the objection(s) including any resulting adverse effects, the clause(s) of the procedures or the standard(s) that are at issue, actions or inaction that are at issue, and the specific remedial action(s) that would satisfy the appellant's concerns. Previous efforts to resolve the objection(s) and the outcome of each shall be noted. The appellant shall include complete documentation of all claims in the appeal brief. Within 20 days of receipt of the appeal brief, the Sponsor Recording Secretary shall send the appellant a written acknowledgment of receipt of the appeal brief, shall send the appellee (the Chair of the WG at issue or the Sponsor Chair) a copy of the appeal brief and acknowledgment, and shall send the parties a written notice of the time and location of the hearing ("hearing notice") with the appeals panel. The hearing with the appeals panel shall be scheduled at the location set for, and during the period of, the first Sponsor plenary session (nominally Wednesday evenings) that is at least 60 days after mailing of the hearing notice by the Sponsor Recording Secretary.

11.3 Reply brief

Within 45 days after receipt of the hearing notice, the appellee should send the appellant and Sponsor Recording Secretary a written reply brief, specifically addressing each allegation of fact in the appeal brief to the extent of the appellee's knowledge. The appellee shall include complete documentation supporting all statements contained in the reply brief.

11.4 Appeals Panel

The Sponsor Chair shall appoint from the appeals pool an appeals panel consisting of a chair and two other members of the panel who have not been directly involved in the matter in dispute, and who will not be materially or directly affected by any decision made or to be made in the process of resolving the dispute. At least two members shall be acceptable to the appellant and at least two shall be acceptable to the appellee. If the parties to the appeal cannot agree on an appeals panel within a reasonable amount of time, the whole matter shall be referred to the full Sponsor for consideration.

11.5 Conduct of the Hearing

The hearing shall be open except under the most exceptional circumstances and at the discretion of the Sponsor Chair. The appellant has the burden of demonstrating adverse effects, improper actions or inaction, and the efficacy of the requested remedial action. The appellee has the burden of demonstrating that the committee took all actions relative to the appeal in compliance with its procedures and that the requested remedial action would be ineffective or detrimental. Each party may adduce other pertinent arguments, and members of the appeals panel may address questions to individuals before the panel. The appeals panel shall only consider documentation included in the appeal brief and reply brief, unless

a) Significant new evidence has come to light; and
b) Such evidence reasonably was not available to the appellant or appellee, as appropriate, at the time of filing; and
c) Such evidence was provided by the appellant or appellee, as appropriate, to the other parties as soon as it became available.

This information shall be provided at least two weeks before the date of the appeals panel hearing.

The rules contained in *Robert's Rules of Order Newly Revised (latest edition)* shall apply to questions of parliamentary procedure for the hearing not covered herein.

11.6 Appeals Panel Decision

The appeals panel shall render its decision in writing within 30 days of the hearing, stating findings of fact and conclusions, with reasons there for, based on a preponderance of the evidence. Consideration may be given to the following positions, among others, in formulating the decision:

a) Finding for the appellant, remanding the action to the appellee, with a specific statement of the issues and facts in regard to which fair and equitable action was not taken;

b) Finding against the appellant, with a specific statement of the facts that demonstrate fair and equitable treatment of the appellant and the appellant's objections;
c) Finding that new, substantive evidence has been introduced, and remanding the entire action to the appropriate group for reconsideration.

11.7 Request for Re-hearing

The decision of the appeals panel shall become final 30 days after it is issued, unless one of the parties files a written notice of request for re-hearing prior to that date with the Sponsor Recording Secretary, in which case the decision of the appeals panel shall be stayed pending review by the Sponsor at its next meeting. At that time, the Sponsor shall decide

a) To adopt the report of the appeals panel, and thereby deny the request for re-hearing; or
b) To direct the appeals panel to conduct a re-hearing.

Further complaints if a re-hearing is denied shall be referred to the Computer Society SAB.

11.8 Further Appeals

Appeals and complaints concerning Sponsor decisions shall be referred to the Computer Society SAB.

12. Revision of Sponsor P&P

Revisions to these P&P shall be submitted to the sponsor no less than 30 day in advance of a motion (or conclusion of an electronic ballot) to approve them. Amendments in response to comments on the P&P are permitted. Insufficient time to consider complex amendments is a valid reason to vote disapprove. A motion to revise the Sponsor P&P shall require a vote of approve by at least two thirds of all members of the Sponsor.