Policies and Procedures
for the Development and Maintenance of
Climbing Wall Association Standards

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Preface

Founded in May of 2003, the Climbing Wall Association (CWA) is a 501(c)(06), non-profit, trade association representing the interests of the manufactured climbing wall industry. The association serves manufacturers of climbing wall equipment, builders of climbing walls, operators of commercial climbing gyms, operators of climbing walls, and others involved in manufactured wall climbing. The CWA provides services, support, and advocacy for its members across North America.

The Climbing Wall Association is the standard setting organization for the manufactured climbing wall industry and develops and maintains standards for the design and construction of climbing walls and the operations of climbing wall facilities. The CWA also offers standards-based training for the staff of climbing gyms, and risk management consulting for member organizations. Today, the CWA serves approximately 160 member companies employing thousands of industry professionals some of whom serve as CWA volunteers.

The CWA is a credible voice for the industry as it provides a forum and mechanisms for the industry to address important issues regarding the use and safety of products, facilities, and services related to manufactured climbing walls. In 2005, the Association approved standard-setting policies and procedures, designed to reflect sound standard-setting practices, which must be met in the development and approval of any future CWA standard.
Introduction

This document defines the policies and procedures for the development, approval, revision, reaffirmation, interpretation, and withdrawal of all CWA standards. Where these policies are silent on an issue the Board of Directors will retain the authority to develop and/or approve new or revised policies or procedures for standard-setting.

The Board of Directors may delegate authority to committees to develop and maintain CWA standards, provided that these committees operate with a charter from the CWA Board of Directors and conform to these policies and procedures. This policy document applies equally to all standard setting committees and subcommittees within the CWA.

These policies were drafted to incorporate sound practices for standards development and maintenance including requirements for due process, openness, lack of dominance, balance, fair notice, consideration of various points of view, objections, and appeals.

CWA standards are intended to be developed and maintained in the best interests, mutually, of consumers who use climbing specialty products, manufacturers of these products, and other properly interested parties such as commercial climbing gyms and other climbing wall operators. Standards are intended to promote industry self-regulation, and to provide useful information to government, consumers, manufacturers, and owners of climbing walls.

The CWA will work toward the development of uniform standards as opposed to local, redundant, or inconsistent sets of standards. Standards, within the scope of this document, will relate to actual conditions of use, and be scientifically and technically sound. CWA Standards may address: strength of materials, standard test methods, product testing procedures, definitions of technical or trade terms, product specifications, labeling standards, commercial practices, or other documents that provide guidance to the industry. Standards must not cause competitive injury to any market participant or inhibit any innovation or improvement in products or services.

The use or observance of any CWA standard is strictly voluntary.
1.0 General

1.1 Administration – These policies and procedures shall govern the activities of the Climbing Wall Association (CWA) related to the development, approval, revision, reaffirmation, interpretation, and withdrawal of standards.

1.2 Scope – The scope of this document is intended to provide a means to develop and maintain consensus standards for the design and construction of products and assemblies used in manufactured wall climbing, as well as consensus standards for the operation of manufactured wall climbing facilities.

1.3 Maintenance of Standards – CWA Standards shall be kept current and relevant by means of timely revision or reaffirmation of standards; or by the withdrawal of obsolete standards.

1.4 Actions – Actions needed to reaffirm, revise, or withdraw a standard using these procedures shall be completed within 5 years from the original date of standard approval.

2.0 Organization

2.1 Standards Committees – Standards Committees shall be established by the CWA Board of Directors and shall be responsible for developing and maintaining standards that fall within the scope of this document. The membership of the CWA Standards Committees shall be sufficiently diverse to ensure reasonable balance without dominance by any single interest group or company (see 2.5.6 Interest Categories and 2.5.8 Balance).

2.2 Secretariat – The CWA shall be responsible for maintaining the Secretariat for all Standards Committees established in accordance with these procedures. The Secretariat shall:

2.2.1 Organize the Standards Committees and issue official appointments;

2.2.2 Oversee compliance with these procedures, including legal review as necessary;

2.2.3 Maintain rosters of any Standards Committees, Subcommittees, and Task Groups;

2.2.4 Maintain all records pertaining to the Standards Committees;

2.2.5 Provide administrative support for the Standards Committees;

2.2.6 Publish approved and revised standards;

2.2.7 Perform other administrative functions as required;
2.2.8 Appoint Standards Committee Officers.

2.3 Records – Standards Committee records shall be accessible to directly and materially interested parties, subject to reasonable conditions of time, location, cost and convenience. Official records concerning new, revised, or reaffirmed standards shall be retained for at least one complete standards cycle (until the standard is revised, withdrawn, or reaffirmed). Records concerning withdrawn standards shall be retained for at least five years from the date of withdrawal. Standards Committee records, documents, correspondence, data, etc., are the property of the CWA.

2.4 Membership – Membership on CWA Standards Committees shall be open to any person directly or materially affected by the Standards, subject to the selection procedure hereinafter set forth, size limitations as contemplated in 2.4.2 Selection Process, and requirements in 2.4.8 Balance.

2.4.1 Application – Individuals seeking membership on a Standards Committee shall submit a written application to the Secretariat indicating their interest in the work of the Standards Committee and their qualifications, willingness to participate, and affiliations that might affect their classification. Applicants shall identify their interest category (See 2.4.6 Interest Categories). The Secretariat shall be responsible for reviewing the application and providing information and/or recommendations regarding the applicant to the relevant Standards Committee.

2.4.2 Selection Process – The Secretariat shall promptly process all membership applications. Applications shall be considered by the relevant Standards Committee, which shall accept or reject all applications. Rejected applicants shall have the right to appeal in accordance with Section 8 Appeals. In accepting or rejecting applicants, consideration shall be given to the following:

2.4.2.1 Need for active participation by members of each interest group.

2.4.2.2 Balance and potential for dominance by members of a single interest group or company.

2.4.2.3 Extent of interest expressed by the applicant and willingness to participate.

2.4.2.4 Qualifications and ability to materially contribute to the work of the Standards Committee.

2.4.3 Standards Committee Size – The Secretariat, and/or the Board of Directors, shall consider and may require reasonable limits on the size of any Standards Committee.

2.4.4 Participation – Participation on a Standards Committee shall not be conditional upon membership in any organization and shall not be unreasonably restricted on
the basis of technical qualifications or other such requirements. However, in the event that the CWA incurs costs that are directly attributable to non-member participation on a Standards Committee or Sub-Committee, the non-member will be responsible for those costs. The CWA reserves the right to recover costs, and reasonable administrative fees, from participating non-members.

2.4.5 Notification – The Secretariat shall promptly notify all applicants, the Standards Committee, and the Board of Directors of the actions taken on applications and shall submit a membership roster to the Board of Directors and the Standards Committee as changes are made.

2.4.6 Interest Categories – All members of CWA Standards Committees shall be classified as Producers, Users, or General Interest representatives in accordance with the following definitions:

2.4.6.1 Producer – Representatives of manufacturers, distributors, licensors, developers, contractors and subcontractors, construction organizations, associations of these groups, and professional consultants to these groups.

2.4.6.2 User – Representatives of owners of climbing walls, owners’ organizations, designers and consultants retained by owners, testing laboratories retained by owners, and insurance companies serving owners.

2.4.6.3 General Interest – General Interest members are neither Producers nor Users. This category includes but is not limited to members of the public, colleges and universities, educators, researchers, representatives of regulatory agencies, and technical societies.

2.4.6.4 An individual in professional practice or a consultant, retained under a continuing agreement with an organization, shall be classified in accordance with the classification of the organization retaining the individual and shall be so identified.

2.4.7 Number of Votes – There shall be a limit of one voting member from each company or organization.

2.4.8 Balance – The membership of CWA Standards Committees shall be sufficiently diverse to provide reasonable balance without undue dominance by any single interest category. CWA will make all reasonable efforts to ensure that no single interest category shall constitute a majority of the voting membership of a CWA Standards Committee and will solicit membership or accept applications for membership in order to maintain balance. However, temporary imbalance can exist due to membership resignations or during recruiting periods. No test for balance or dominance is required, unless there is a claim by a directly and
materially affected party that a single interest category unfairly dominated the standards development process.

2.4.9 Membership Roster – The Secretariat shall prepare and maintain a membership roster documenting the classification of each Standards Committee member. The Secretariat shall review the Standards Committee roster annually and recommend changes to the Board of Directors, if necessary. Rosters shall include a summary of the voting membership, by interest category.

2.4.10 Termination of Membership – The Board of Directors shall be authorized to terminate the membership of an individual on a Standards Committee for cause, including, but not limited to, inactivity. A Standards Committee member shall be considered inactive:

2.4.10.1 for failure to return two successive ballots, or

2.4.10.2 for failure to attend at least two Standards Committee, Subcommittee, or Task Group meetings in a one year period.

2.4.11 Changes in Employment – Standards Committee members must notify the Secretariat of any changes in employment affecting representation and shall submit a new application if continued membership on the Standards Committee is desired.

2.4.12 Standards Committee Officers – Each Standards Committee shall have a Chairperson, Vice Chairperson, and Secretary.

2.4.12.1 The Chairperson and Vice Chairperson shall be elected by the members of the Standards Committee, subject to concurrence of the Board of Directors and the Secretariat. Each will serve until a successor is selected and ready to serve.

2.4.12.2 The Secretary of all CWA Standards Committees shall be appointed by the Secretariat. The Secretary need not be a member of the Standards Committee.

2.4.13 Subcommittees – Subcommittees shall be established by the responsible Standards Committee for the purpose of assisting the Standards Committee in drafting standards, considering comments on standards, and other advisory functions.

2.4.13.1 Membership on Subcommittees may include persons who are not members of the main Standards Committee.

2.4.13.2 Balance is not required for Subcommittees. A roster of all Subcommittees shall be maintained by the Secretariat.
2.4.13.3 Subcommittee Chairpersons shall be members of the main Standards Committee and shall be elected by a majority vote of the Standards Committee, with the concurrence of the Secretariat and the Board of Directors.

2.4.13.4 Subcommittee members shall be appointed by the Subcommittee Chairperson, with the concurrence of the Secretariat, the Board of Directors, and the Standards Committee.

3.0 Meetings

3.1 Frequency and Location – Standards Committee meetings shall be held on an as needed basis. The frequency of meetings may be decided upon by the Board of Directors, the Standards Committee, the Secretariat, or by petition of three or more members of the Committee. An effort shall be made to hold cost-effective meetings at locations and times convenient to the members. Standards Committee meetings may be held face-to-face or by communications equipment that allows all persons participating in the meeting to communicate with each other. Such participation shall constitute attendance and presence in person at the meeting.

3.2 Notification – At least 30 days written notice shall be given for meetings of all CWA Standards Committees. An agenda shall be prepared and distributed with the meeting notice. Special exceptions for extraordinary circumstances may be made on an as-needed basis. When an exception for extraordinary circumstances is necessary, a meeting notice, and agenda will be distributed as soon as is practicable. Failure to attend a meeting with less than 30 days written notice shall not constitute inactivity on the part of a committee member.

3.3 Open Meetings – Except for authorized executive sessions (See 3.3.1), all meetings of Standards Committees shall be open and attendance by any interested party shall be welcome. Visitors shall not have the right to vote. Visitors shall be entitled to receive copies of meeting minutes if requested in writing. Visitors shall be permitted to address the Standards Committee at a meeting, provided that a written request is sent to the Chairperson at least 10 days prior to the meeting. The Chairperson shall designate the time and duration of visitor presentations.

3.3.1 Executive Sessions – Executive sessions shall be permitted for the purpose of considering administrative, financial, and similarly sensitive issues not related to the technical content of any standards or the disposition of ballots or public comments. Attendance during executive sessions shall be limited to members of the Board of Directors, committee members, and representatives of the Secretariat.
3.4 Quorum – A majority of the members of a Standards Committee shall constitute a quorum for conducting business at a meeting. No special quorum requirements exist for Subcommittees. Matters shall be deemed approved by the affirmative vote of a majority of the members present, except with respect to matters covered in Section 4 Voting Procedures. If a quorum is not present, actions on agenda items may be taken, but shall be subject to ratification by a letter ballot of the Standards Committee or Subcommittee.

3.5 Parliamentary Procedure – On questions of parliamentary procedure, Robert’s Rules of Order (as revised) shall apply.

4.0 Voting Procedures

4.1 Consensus – Standards Committees and Subcommittees should seek to arrive at standards decisions unanimously. If unanimity cannot be reached, a strong consensus shall be reached. Consensus means substantial agreement after a concerted effort to resolve objections.

4.2 Criteria for Approval – Standards Committees and Subcommittees will consider the following criteria prior to the consideration of a standards decision including proposed standards, revision, reaffirmation, interpretation, or withdrawal:

4.2.1 The necessity of the standard;

4.2.2 The scientific or technical soundness of the standard;

4.2.3 The satisfactory resolution of all reasonable objections by interested and affected parties;

4.2.4 The existence of fairness of the standard in that the standard does not unduly favor any sector or company over another or does not unduly harm or interfere with any proper technical, economic or social activity;

4.2.5 The existence of a genuine consensus favoring the promulgation of the standard.

4.3 Letter Ballots – Approval, revision, reaffirmation, substantial changes to, interpretations, and withdrawal of all standards shall be approved by letter ballot of the Standards Committee. The Secretariat shall issue, receive, authenticate, count and publish the results of ballots. Letter ballots may be conducted via e-mail provided that e-mail voting is conducted in accordance with approved procedures for issuing, receiving, authenticating, counting, and publishing the results of ballots.

4.4 Voice Votes – Administrative matters may be decided by a majority of the members present at a regularly scheduled meeting of a Standards Committee by voice vote.

4.5 Voting – Each voting member shall return one of the following positions on letter ballots:
4.5.1 Affirmative.

4.5.2 Affirmative, with comment.

4.5.3 Negative, with reasons. If possible, the negative ballot shall include specific language or actions that will resolve the negative.

4.5.4 Abstain.

4.6 Voting Period – The closure date for letter ballots shall be at least seven (7) days from the date of the mailing of the ballots. The Standards Committee Chair shall be authorized to grant an extension of the voting period if needed for special circumstances.

4.7 Approved Actions – Approvals, revisions, reaffirmations, withdrawals, substantive changes to and interpretations of standards shall be considered approved when all of the following conditions have been met:

4.7.1 At least 50 percent of the voting members have returned their letter ballot.

4.7.2 At least 75 percent of the votes cast by voting members, excluding abstentions and negatives without reasons, are affirmative.

4.7.3 All negative votes with reasons have been addressed in accordance with 4.9 Negative Votes.

4.8 Reporting Votes – The results of each letter ballot on all Standards shall be reported as follows:

4.8.1 Number of voting members.

4.8.2 Number of voting members voting affirmatively.

4.8.3 Number of voting members voting affirmatively with comments.

4.8.4 Number of voting members voting negatively with reasons.

4.8.5 Number of voting members voting negatively without reasons.

4.8.6 Number of voting members abstaining.

4.8.7 Number of voting members not returning ballots.

4.8.8 Number of non-members returning comments.

4.9 Negative Votes – Negative votes on a letter ballot shall be addressed as follows:
4.9.1 Negative votes with reasons shall be referred by the Secretariat to the Standards Committee or the Subcommittee responsible for the Standard in question for response and resolution.

4.9.2 The Standards Committee or Subcommittee shall review the negative vote with the voter and efforts shall be made to resolve the negative.

4.9.3 If in the process of review, the Standards Committee or Subcommittee determines that substantive changes are required, the revised provision shall be re-balloted.

4.9.4 Negative votes which are not accompanied by reasons shall be recorded as “negative without reasons” and no further action shall be required.

4.9.5 All negative votes that are not resolved shall be addressed as follows:

4.9.5.1 The Committee or Subcommittee shall draft a written response to the negative voter judging the vote previously considered, not pertinent, or not persuasive.

4.9.5.2 Previously Considered Negative Votes – The Standards Committee may uphold previous action on issues already considered.

4.9.5.3 Not Pertinent Negative Votes – If the negative vote is not directly related to the item being balloted; the vote may be considered not pertinent. The issue may be placed on the agenda for consideration at the next regular meeting of the Standards Committee.

4.9.5.4 Non-Persuasive Negative Votes – Non-persuasive recommendations must be affirmed by at least 75% of the voting members present at a meeting (excluding abstentions) or 75% of the voting members returning ballots (excluding abstentions), if the recommendation is considered by letter ballot.

4.9.5.5 Appeals – When a negative vote is determined to be “previously considered,” “non-pertinent,” or “non-persuasive;” the negative voter shall be notified of the action, the right to appeal, and the appeals process.

4.10 Comments Accompanying Affirmative Votes and Abstentions – The Standards Committee shall review comments and the comments may be placed on the agenda for consideration at the next regular meeting of the Standards Committee or Subcommittee.
5.0 Interpretagions

5.1 Processing Interpretations of Standards – Requests for interpretations of Standards shall be submitted in writing to the Secretariat and shall be forwarded by the Secretariat to the Chairperson and Secretary. Proposed interpretations may be prepared by the Chairperson, Secretary or any other Standards Committee member with particular expertise on the subject in question. All proposed interpretations shall be prepared in writing and shall be submitted to the Secretariat for a letter ballot of the Standards Committee. Interpretations shall be approved in accordance with Section 4.5 Approved Actions.

5.2 Notification of Interpretations – Notification of approved interpretations shall be sent in writing to the requester. Notification shall also be given to other users of the Standards through appropriate publications.

6.0 Public Review and Comment

6.1 Proposed Standards - Proposals for new Climbing Wall Association (CWA) Standards or reaffirmation, revision, or withdrawal of existing CWA Standards shall be listed in suitable media for public comment for a minimum of thirty (30) days.

6.2 Comments - All comments that are received from the public review shall be considered by the Standards Committee, and the commenter shall be notified, in writing, of the Standards Committee’s decision/response. Negative comments from the public review shall be addressed according to Section 4.9 Negative Votes.

7.0 Correspondence

7.1 Standards Committee Correspondence – Correspondence between Standards Committee members relating to CWA Standards activities shall be on “Climbing Wall Association” letterhead. Correspondence from a Standards Committee or Subcommittee member to the entire membership of the Standards Committee or any Subcommittees shall be forwarded to the Secretariat for approval and distribution. All official Standards Committee/Subcommittee correspondence, including meeting notices, agendas, reports and letter ballots, shall be distributed by the Secretariat. Copies of all other correspondence between Standards Committee/Subcommittee members, relating to CWA standards activities shall be forwarded to the Secretariat. All Standards Committee correspondence shall be considered privileged and confidential and shall not be used for publication or reference.

7.2 External Correspondence – Inquiries relating to the Standards Committee and Standards shall be directed to the Secretariat. Standards Committee members should advise individuals who contact them that responses to all inquiries are handled by the

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Secretariat. All official Committee correspondence to external parties must be approved by the Committee, or delegated representative, and distributed by the Secretariat.

7.3 Return of Correspondence – Any members leaving, resigning, or dismissed from a Standards Committee or Subcommittee shall return all correspondence (documents, letters, notes, data, etc.) relating to CWA standards to the Secretariat within 30 days of departure. Members will be allowed to keep copies of only those items released to the public on CWA letterhead or published by the CWA.

8.0 Appeals

8.1 Complaint – Persons who have been or may be affected by any Standards Committee action or inaction shall have the right to appeal such action or inaction. The appellant shall file a written complaint with the Secretariat within 30 days after the date of notification of any action or inaction. Failure to file a written complaint within 30 days shall constitute loss of the right to appeal. The complaint shall state the nature of the objection, the procedures or the sections of the Standards that are at issue, the action or inaction at issue, and the specific remedial action(s) that would satisfy the appellant’s concerns.

8.2 Response – Within 30 business days after the receipt of the complaint, the Secretariat shall respond in writing to the appellant, specifically addressing each allegation in the complaint to the extent possible. The Secretariat shall attempt to resolve the complaint of the appellant informally.

8.3 Appeals Panel and Hearing – If the Secretariat is unable to informally resolve the complaint, it shall appoint an appeals panel to hold a hearing on a date agreeable to all participants, with at least 30 working days notice. 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. At least two members of the panel shall be acceptable to the appellant and at least two shall be acceptable to the Secretariat.

8.4 Conduct of the Hearing – The appellant 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 Standards Committee took all actions in question in compliance with these procedures and that the requested remedial action would be ineffective or detrimental.

8.5 Decision – The appeals panel shall render its decision in writing within 30 working days, stating its findings of fact and conclusions. The Secretariat shall notify the appellant and the Standards Committee of the decision of the appeals panel, which shall be binding and final on all concerned.
9.0 Metric Policy

9.1 CWA standards will be developed using standard units followed by metric units (SI units) in parentheses for consistency with the national model building codes.

10.0 Patents

10.1 Reference – Standards shall not refer directly to a particular patent or proprietary technology by use of trademarks, trade names, service marks, etc. If a standard’s requirements can only be satisfied practicably by use of an identified patented or proprietary material, product, process, procedure or apparatus, full and clear disclosure of the controlling patent shall be made within the commentary of the standard. If CWA receives a notice that a proposed standard may require the use of a patented invention, the procedures in 10.1.1 and 10.1.2 shall apply.

10.1.1 Statement from Patent Holder – Prior to approval of such proposed standard, CWA shall receive from the identified party or patent holder either:

10.1.1.1 Assurance in the form of a general disclaimer to the effect that such party does not hold and does not intend to hold any patent or patent rights the use of which would be required for compliance with the standard, or

10.1.1.2 Assurance that a license will be made without compensation to the applicants desiring to utilize the license for the purpose of implementing the standard, or

10.1.1.3 Assurance that a license will be made available to applicants under reasonable terms and conditions that are demonstrably free of any unfair discrimination.

10.1.2 Record of Statement – A record of the patent holder’s statement shall be placed and retained in the CWA files.

10.2 Notice – When CWA receives from a patent holder the assurance set forth in 10.1, the standard shall include an introductory note identified in section 10.2.1 and a disclaimer identified in 10.2.2.

10.2.1 NOTE – The user’s attention is called to the possibility that compliance with this standard may require the use of an invention covered by patent rights. By publication of this standard, no position is taken with respect to the validity of this claim or of any patent rights in connection therewith. The patent holder has, however, filed a statement of willingness to grant license under these rights on
reasonable and nondiscriminatory terms and conditions to applicants desiring to obtain such a license. Details may be obtained from the standards developer.

10.2.2 NOTE – CWA does not endorse any patented invention or technology or warrant that the use of such invention or technology will meet standard requirements. The selection of any design methodology or use of any patented technology is at the option of the user.

10.3 Responsibility for Identifying Patents – CWA shall not be responsible for identifying all patents for which a license may be required by a standard or for conducting inquiries into the legal validity or scope of those patents that are brought to its attention.

11.0 Commercial Terms and Conditions

11.1 Provisions involving business relations between buyer and seller such as guarantees, warranties, and other commercial terms and conditions shall not be included in a CWA standard.

11.2 It is not acceptable to include proper names or trademarks of specific companies or organizations, manufacturer lists, service provider lists, or similar material in the text of a standard or in an annex, appendix (or the equivalent).

11.3 Where a sole source exists for essential equipment, materials, or services necessary to comply with a standard or to determine compliance with a standard, it is permissible to supply the name and address of the source in a footnote, annex, or appendix as long as the words “or the equivalent” appear in the reference.

11.4 In connection with standards that relate to the determination of whether products or services conform to one or more standards, the process or criteria for determining conformity can be standardized as long as the description of the process or criteria is limited to technical or engineering concerns and does not include what would otherwise be a commercial term or proper name.

12.0 Other Standard Setting Organizations

12.1 The CWA may participate in the activities of other standards-setting organizations involved in the development of standards of interest to the manufactured climbing wall industry. Participation in the activities of other standards-setting organizations is subject to the approval of the Board of Directors.
13.0 Legal Review of Standards

13.1 All proposed standards, or revision, reaffirmation, interpretation, or withdrawal of existing standards may be subjected to legal review prior to approval and/or publication by the CWA.

14.0 Revisions to Procedures

14.1 Proposed Revisions to Procedures – Proposed revisions to these procedures shall be submitted to the Secretariat in writing with an explanation or the reason for the proposed revision. The Secretariat shall submit the proposed revision to the Standards Committees for comment and to the Board of Directors for action.

14.2 Approval and Implementation – The Board of Directors shall consider and take action on proposed revisions to these procedures and the Secretariat shall notify the Standards Committees of all decisions.