

Rules meetings for August 2021

Guidelines for IEEE-SA Meetings

- All IEEE-SA standards meetings shall be conducted in compliance with all applicable laws, including antitrust and competition laws.
 - Don't discuss the interpretation, validity, or essentiality of patents/patent claims.
 - Don't discuss specific license rates, terms, or conditions.
 - Relative costs of different technical approaches that include relative costs of patent licensing terms may be discussed in standards development meetings.
 - Technical considerations remain the primary focus
 - Don't discuss or engage in the fixing of product prices, allocation of customers, or division of sales markets.
 - Don't discuss the status or substance of ongoing or threatened litigation.
 - Don't be silent if inappropriate topics are discussed ... do formally object.

For more details, see IEEE-SA Standards Board Operations Manual, clause 5.3.10 and
Antitrust and Competition Policy: What You Need to Know at
<http://standards.ieee.org/develop/policies/antitrust.pdf>

If you have questions, contact the IEEE-SA Standards Board Patent Committee Administrator at
patcom@ieee.org

Participant behavior in IEEE-SA activities is guided by the IEEE Codes of Ethics & Conduct

- All participants in IEEE-SA activities are expected to adhere to the core principles underlying the:
 - IEEE Code of Ethics
 - IEEE Code of Conduct
- The core principles of the IEEE Codes of Ethics & Conduct are to:
 - Uphold the highest standards of integrity, responsible behavior, and ethical and professional conduct
 - Treat people fairly and with respect, to not engage in harassment, discrimination, or retaliation, and to protect people's privacy.
 - Avoid injuring others, their property, reputation, or employment by false or malicious action
- The most recent versions of these Codes are available at <http://www.ieee.org/about/corporate/governance>

Information for Attendees

- Patent Policy, Patent FAQ, Antitrust guidelines, Patent Tutorial, Patent information in the IEEE Standards Companion, what you need to know about standards and the law, the LOA form, the LOA cover letter, the LOA database and the LOA process flowchart.
 - <https://standards.ieee.org/about/sasb/patcom/materials.html>
 - <https://standards.ieee.org/about/sasb/patcom/patents.html>
- Affiliations FAQ:
 - <http://standards.ieee.org/faqs/affiliation.html>
- Ethics policy:
 - <https://www.ieee.org/about/corporate/governance/p7-8.html>
- Copyright for Contributions to IEEE Standards Development
 - <https://standards.ieee.org/ipr/index.html>

Items for August 3 Call

Agenda

- Review participation information
- WG P&P Update
 - Proposed is ec-18-0104-09
 - Comparison with current is ec-21-0183-00
- Any other business

Various updates

- 3.2 Term Limits: “An officer should serve no more than two consecutive terms ...”
- 3.5.5 Open Source Project Lead
 - I marked this not applicable, we can revise this if such a project does arise or put it in now just in case.
- Add to 4.2 Voting Membership
 - A “Credited Interim Session” (an interim session with attendance credit) is one that has been declared as such by the Working Group or Technical Advisory Group Chair.
 - ~~The Working Group or Technical Advisory Group Chair designates interim sessions that qualify to be used as credit toward voting membership as a recent interim session.~~
- 4.2.1
 - Their ~~existing attendances~~ previous session attendance credit do not count towards regaining voting membership.

- "meetings" should be "session" in 4.2.1's "A voting member's obligation to respond to Working Group letter ballots (in which they are eligible to vote) is in addition to their obligation to attend Working Group meetings."
- "session" was meant to be plural. Sorry. Another one in 4.2 where presumably "meetings" should be "session[s]" (regardless of 6.3 being entitled "Meeting Fees" - should probably be "Session Fees"): "Those attending meetings shall pay any required meeting fees if established. "10:34

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Comment #3

- Except for 6.3 and potentially 11-14 (which I haven't reviewed yet), it seems the only other occurrences of concern re "meeting" vs "session" is in 4.2.1's "If a Working Group letter ballot closes within 14 days of a meeting, any changes to voting membership resulting from the ballot shall be delayed until after the meeting

Updates to 3.4 Removal of Officers

This clause may be modified, but shall include an opportunity for rebuttal by the officer suggested for removal.

An officer may be removed by a two-thirds vote of the voting members of the Working Group meeting in Executive Session. The meeting shall not be Chaired by the officer suggested for removal. Grounds for removal shall be included in any motion to remove an officer of the Working Group. The officer suggested for removal shall be given an opportunity to make a rebuttal during the Executive Session, and shall leave the Executive Session directly after responding to questions pertinent to the rebuttal and, prior to the discussion and ~~prior to the~~ vote on the motion for removal.

Removal of officers requires notification to and affirmation by the Standards Committee.

Various updates to clause 4

- Add to 4.2 Voting Membership
 - A duly constituted interim session is a one that has been declared by the Working Group Chair to be an interim Working Group or Task Group session.
- 4.2 – Definitions of participant, attendee and member have been deleted (defined in 1.5)
- 4.2 – Participation credit text has been moved to 4.1
- 4.2.1 “Their ~~existing attendances~~ previous session attendance credit do not count towards regaining voting membership.”

Loss moved to Retention

- Wording is slightly different, now says

Persons who do not retain membership by session attendance credit, lose membership, but this does not cause the loss of previous session attendance credit.

A voting member's obligation to respond to Working Group letter ballots (in which they are eligible to vote) is in addition to their obligation to attend Working Group meetings.

A voting member that fails to provide a valid response to 2 out of 3 consecutive mandatory Working Group letter ballots, where a valid response is received in the initial mandatory Working Group letter ballot or any of its subsequent recirculation ballots (if any), lose membership.

A voting member that fails to return 2 of the last 3 Working Group letter ballots, where letter ballot series (the initial ballot plus any associated ~~excepting~~ recirculation letter ballots, in which they are eligible to vote lose membership becomes a non-voting member. Their previous session attendance credit do not count towards regaining voting membership.

If a Working Group letter ballot closes within 14 days prior to of a meeting session, any changes to voting membership resulting from the ballot shall be delayed until after the end of that meeting session.

The chair may "specially maintain" a member's voting status that would otherwise be lost by this Working Group letter ballot response rule. Reasons for such an action ~~can~~ may include consideration of personal hardship, medical emergency, or outstanding contributions.

Updates to 4.4 Review of Membership

The clause may be modified. Text in brackets may be removed. Remove the brackets around text that is retained.

Membership privileges may be lost through persistent violation of the fundamental principles of standards development or disregard of standards of conduct (see Clause 1 of these P&P).

The Chair shall review the list of voting members at least annually. Voting members are expected to fulfill the ~~obligations~~ requirements of active participation as defined in Clause 4.2. When a voting member ~~is found in habitual default of~~ does not meet these obligations, the Chair shall consider the matter for appropriate action, which may include ~~termination of membership~~ a change in membership status and the loss of voting rights.

The Chair may “specially maintain” a voting member’s status that would otherwise be lost by failing to meet their obligations. Reasons for such an action might include consideration of personal hardship, medical emergency or outstanding contributions.

The Chair shall, at least annually, review the status of any members that are specially maintained to validate that the reasons are still applicable.

When the Chair takes action regarding an individual’s membership status, the Chair shall notify the individual of their new status, along with the reason the action was taken.

4.6 Working Group Participant List

- 4.6 “Membership Roster” → “Participant List”
 - More text added about indemnification
 - Secretary is now responsible for list – Change to “The Working Group Chair is responsible to maintain a current Working Group participant list.”
 - Reminder not to distribute list.
- Change last paragraph to:

All Working Group members are required to update their information for the participant list any time it changes. Inactive participants should be removed from the participant list after three years.
- Ask Jodi to confirm that GoogleApps@ieee is OK for this. If so, then inform WG officers

Additions from new baseline

- Added by SA to 6. Meetings
 - Participants shall be asked to state their employer and affiliation at each Working Group meeting as required by the IEEE SA Standards Board Operations Manual clause on “Disclosure of affiliation.”
- Added by SA to 6.4 Minutes
 - Minutes shall be published to meeting attendees within 60 calendar days of the end of the meeting.
 - Minutes shall be published to session meeting attendees within 60 calendar days of the end of the session. Minutes shall be published of meetings outside of a session within 15 calendar days of the end of the meeting.

6.1 Quorum

- We can define quorum for > 50 members to be above 10%. do we want 50%?

... When the voting membership is fewer than 50 voting members, a quorum shall be defined as a majority of the current total voting membership. When the voting membership is 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 Executive Session additions

The matters discussed in Executive Session are confidential, and therefore, attendance at the Executive Session shall be limited to the officers of the Working Group, officers of the Standards Committee, officers of the technical group that established the Standards Committee, members of the IEEE SASB or IEEE SA Board of Governors unless they have a conflict of interest with respect to a matter to be discussed in Executive Session, in which case they may not attend until discussion of the matter is concluded; outside advisors (e.g., lawyers or consultants) where necessary to provide professional guidance, and select IEEE SA staff who may have information or a perspective relevant to the subject matter discussed in Executive Session. Persons who are determined to have a conflict of interest and other individuals may be invited to the Executive Session to provide pertinent information and then excused prior to any discussions or decisions. In each case, except as authorized by the Working Group, participants in an Executive Session are prohibited from discussing or disclosing any information presented and discussed during such Executive Session to a third party or other person not present during the Executive Session, and shall not continue to discuss such matters after the Executive Session has adjourned.

6.2 Executive Session additions (cont.)

Executive Sessions should be conducted face-to-face (in person) to provide the greatest assurance that the content of such Executive Sessions will be kept confidential. However, when necessary, Executive Sessions may include participants who participate by teleconference provided such persons agree not to disclose any information so discussed, and agree that they will participate in such conference in a manner that does not result in third parties gaining access to such discussions or information.

6.3 Meeting Fees (additions)

The Working Group Officers shall set the meeting fees in consultation with those planning a particular meeting.

Everyone who attends a meeting, except for those for whom the fee has been waived, shall pay the meeting fee.

For plenary sessions, the Standards Committee determines which individuals will have the meeting fee waived. For interim sessions, the Executive Committee of the Working Group or the Joint Executive Committee of the Working Groups responsible for the session determine the individuals for which the meeting fee will be waived.

7.1 Approval of an Action

- Edited non-modifiable to be three-fourths (should this be three-quarters?)
- Items to add?
 - Approval of change of the Working Group scope *
 - Any matter regarding the establishment or modification of a PAR or that would make a non-editorial change to a draft standard (or split into two items)
 - Initiate officer elections other than at the first plenary session of even numbered years.
 - Adoption of an Operations Manual or revisions thereof
 - Formation of a subgroup (with the exception of a study group or industry connections activity) including its procedures, scope, and duties
 - Disbandment of a subgroup when no other provisions to disband are in place or prior to its completion
 - Any other technical matter not defined elsewhere in this document

* Item requires approval of the IEEE 802 LMSC to take effect

8.2 Voting between meetings

~~At discretion of the Chair, the~~ The Working Group Chair shall ~~be allowed to~~ conduct votes authorized by the Working Group in a timely fashion. The Working Group Chair may conduct votes between meetings by the 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(5)~~ IEEE Bylaw I-300.4(5) (paragraph 2).

For Working Groups within the IEEE Standards Association, unless a more restrictive requirement is specified in the governing documents of the Working Group, majority consent of those participating, provided a majority of the voting members of the Working Group respond, shall be required to approve an action taken without a meeting. The action and written confirmations shall be filed with the minutes of the Working Group.

9. External Requests for Information

~~Formal inquiries~~ All external requests for information relating to the Working Group should be directed to the Chair and recorded by the Secretary. All replies to such inquiries shall be made through the Chair, unless otherwise specified by IEEE SA. These communications shall make it clear that they are responses from the Working Group. Informal communications shall not imply that they are a formal position of the IEEE, the IEEE SA, the Standards Committee, or the Working Group. Communications shall be in compliance with the ~~Sponsor's~~ Standards Committee's communication requirements.

13. Revision of the P&P

- Carried over a few mistakes. The following needs to change as shown:

~~A vote to approve revisions shall only be taken at a plenary session.~~ If approved, revisions become effective at the end of the Standards Committee meeting plenary session where the vote was taken or when the final result of the Standards Committee electronic Ballot is announced by the Standards Committee Chair or designee.

- I will fix and post in v10.

14. Procedure for Establishing a Directed Position

- Text is copied from OM
- Need to change “IEEE 802 LMSC” to “Standards Committee” to be consistent
- Change 75% to be three-quarter (or three-fourths)
 - Add to 3/4 section of voting?
- Other edits?