

**Conference for Food Protection
Executive Board Meeting Committee Report**

Committee Name: Issue Committee
Council: Standing Committee (Council II)
Date of Report: September 15, 2013 – **REVISED ADDENDUM** to July 13, 2013 report
For discussion at September 19, 2013 Conference Call
Submitted By: Vicki Everly and Aggie Hale, Issue Co-Chairs

Requested Action for Executive Board (EB):

1. Issue Committee Topics: *not discussed at the August meeting due to time limitations*

- a. It is requested that the EB review and approve a new procedure: **Archiving of CFP Documents** (see doc titled: *Attach #6-DRAFT Archiving of CFP docs*)
- b. It is requested that the EB review and approve draft revisions to the following **Position Description Statements** (see *REVISED DOC* titled: *REVISED Attach #7-DRAFT EDITS Position Description Statements*) – all suggested edits are in underline/strikethrough format; the majority of edits relate to the Issue process:

NOTE: since originally submitted for discussion at the August 2013 EB meeting, minor edits have been made and are highlighted in yellow on the REVISED DOCUMENT.

Once approved, it is requested the revisions be submitted by the Constitution and Bylaws/Procedures Chair as an Issue for the 2014 Biennial Meeting.

- i. **Council Chair**
 - ii. **Council Vice Chair**
 - iii. **Committee Chair**
 - iv. **Issue Chair**
 - v. **Constitution and Bylaws/Procedures Chair**
- c. NOTE: due to time limitations, the **Committee Periodic Status Report** template and instructions (see doc titled: *Attach #2-DRAFT Committee PERIODIC Status Report & Instructions*) will be re-submitted in May 2014 for discussion.
- 2. NEW TOPICS:** *submitted for discussion by the Issue Co-Chairs; not included in Issue Committee report submitted for the August 2013 EB meeting*
- a. **Request for Funding:**
A number of technical challenges with the online Issue Management Program (IMP) were identified during the 2012 biennial meeting process; improvements to the web site specific to three (3) of these challenges would greatly improve the functionality of the IMP, and save time and effort for the Issue submitters and Issue reviewers.
 - b. **Scope:** Mr. Kevin Hamstra of One-Eighty Design (the developer of our IMP program) will enhance the program to allow for future CFP staff and members to more effectively use the issue submittal program by developing properly documented guidance material and online instruction, which we currently lack. Mr. Hamstra will be adjusting the system to adequately capture the information and format needed so that errors experienced to date will not recur causing confusion and time loss. Accomplishing these tasks will make the entire online process seamless and enable the user to operate the program with minimal edits or time needed to complete the task within the CFP time restraints. Upon prompt approval by the Board, Mr. Hamstra of One-Eighty Design has stated the requested tasks can be completed within the timeframe required. Mr. Hamstra has provided the following time quote for each identified task at a consulting fee of \$75/hour.

- i. Enhance the paragraph formatting features so that indents and outlining will be retained (this formatting is currently lost forcing all paragraphs flush left when documents are saved and re-opened, and when converted into the final Issue packets). **Estimated consulting time: 3 to 6 hours.**
- ii. Re-design the IMP to allow for more than one Issue reviewer to edit a single Issue (currently only one Issue reviewer can input suggested edits into submitted Issues requiring that any collaboration between Issue reviewers be conducted “off line” resulting in duplication of work to re-enter agreed upon edits). More time is required than previously stated due to the complexity of distinguishing between primary and secondary reviewers.
Estimated consulting time: 6 to 10 3-6 hours
- iii. Develop written instructions for all “steps” involved in the IMP from creation of a “new” biennial meeting to creation of the final Issue packets for release on the CFP web site (including creating the full Issue packet and scribe version) (currently very few instructions exist for a complicated program that is used by non-programmers only once every biennium). **Estimated Consulting time: 16 to 24 hours.**

The Issue Co-Chairs are requesting that an amount not to exceed \$2,000 \$3,000 (this amount is based on the maximum time estimated) be authorized for One-Eighty Design to complete the three (3) tasks identified prior to December 1, 2013 so that improvements can be beta tested in advance of the IMP site going live in January 2014.

- c. **Request for Clarification:** *documents that require approval via the Issue process*

The Issue Co-Chairs request that the EB provide specific direction whether any of the following administrative and instructional documents are required to be submitted as an Issue at the 2014 biennial meeting (thereby requiring review and approval by Council II and the Assembly). Each of these documents were approved by the EB in August 2013 and relate to the 2014 Issue process... but are not part of the “Constitution and Bylaws” or the “CFP Biennial Meeting/Conference Procedures.”

- i. Committee Member Roster Template and Requirements and Restrictions (*for an example, see doc titled: Attach #1-ROSTER 2012-2014 Issue C’ee*)
- ii. Committee Final Report template and instructions (*see doc titled: Attach #3-DRAFT Committee FINAL Report & instructions*)
- iii. Issue Review Process and Checklist (*see doc titled: Attach #4-DRAFT Issue Review Process & Checklist-C’ee Issues*)
- iv. Edited Issue Submission Information (for posting on the CFP web site) (*see doc titled: Attach #5-EDITED Issue Submission Info for 2014*)

BACKGROUND and DISCUSSION POINT: Over the years, ALL Issue-related documents have been submitted via the Issue process, including updated instructional documents used for each biennium. However, other CFP committee-created administrative documents have not been required to be submitted for approval via the Issue process (e.g., Sponsorship criteria, Scholarship criteria). The current Issue Co-Chairs believe that submitting Issue-related administrative criteria is an unnecessary additional burden for all parties involved.

3. Assignments made by the Executive Director for completion by the Issue Co-Chairs: *submitted, but not discussed at the August EB meeting due to time limitations*

- a. Review and approve **“Ownership/Professionalism” Policy Statement** regarding documents submitted via the Issue process (suggested language noted below in **bold** font). Once approved, it is requested the statement be inserted into the appropriate governing document

by the Constitution and Bylaws/Procedures Chair, and submitted as an Issue for the 2014 Biennial Meeting, if necessary.

The ED requested that the Issue Co-Chairs develop and seek approval from the EB of a policy statement to address this concern; the following language is submitted for consideration:

Draft “Ownership/Professionalism” Policy Statement:

Committee-submitted documents reflect upon the professionalism of the Conference as an organization. Once submitted to the Executive Board, or submitted online via the Issue Management Program, all Issues, reports, and content documents generated by a Conference committee belong to, and are solely the property of, the Conference.

Documents and Issues submitted to the Conference by an independent entity do *not* reflect upon the Conference as an organization and reflect solely on the professionalism of the submitter.

All Issues and attached content documents, once finalized by the Issue Reviewer and accepted for council consideration become the property of the Conference for Food Protection and reflect on the professionalism of the Conference as an organization.

BACKGROUND: Questions have been frequently raised regarding “ownership” of documents submitted to the Conference via the Issue process and whether or not the professionalism of those documents reflects upon the Conference as an organization, or upon the submitter as an individual. A review of the CFP governing documents could find no reference to answer this question; however, the Issue submittal “Terms and Conditions” approved in August 2013 by the Executive Board for the 2014 Biennial Meeting states the following:

“Issues become the property of the Conference for Food Protection once finalized by the Issue Reviewers.”

DISCUSSION POINTS / QUESTIONS:

- Does the draft policy statement clarify that documents submitted to the EB or via the online Issue process belongs to the Conference and does *NOT* belong to the committee, the Committee Chair, or the Committee Members?
- If committee reports (which are submitted as an Issue) are “the property of” the Conference and their content reflects upon the organization... should these documents be fully reviewed by council “and approved”? Currently, final reports are reviewed by Council Chairs and Issue Chairs and only “acknowledged” by council.
- If the draft policy statement is approved, should Independent (non-committee) Issues be accepted “as submitted” (unedited) as long as basic submittal criteria are met?

ADDITIONAL BACKGROUND: The intent of review and editing by Issue Reviewers is to help improve clarity, increase readability and understanding, and minimize confusion during council deliberation. The overall goal of Issue and report review is to ensure that all documents move forward in a manner that facilitates council deliberation and to ensure that final “recommended solutions” provide specific and achievable direction. That said, Issue review and clarification can take an inordinate amount of time with some submitters... both from committees and independent submitters.

- b. Discussion and clarification of “**Public domain**” and **availability/usage of CFP documents** posted on the web site.

The question has been raised regarding whether or not committee reports, attachments, and Issues posted on the CFP web site are considered to be in the “public domain” and whether use limitations can or should be placed on those documents..

BACKGROUND: this question originated from a previous request for advance copies of finalized Issues prior to the release of Issue Packets to all Conference members; the ED has requested that the Issue Co-Chairs seek clarification from the EB regarding “public domain” of CFP documents and the authority (or lack thereof) for early release of Issues and attached documents.

According to Wikipedia:

In informal usage, the public domain consists of works that are publicly available; while according to the formal definition, it consists of works that are unavailable for private ownership or are available for public use

According to Public Counsel Law Center (see page 5 of supporting attachment titled: Attach #8-Public Council Law Center-Public Domain):

If a work is publicly accessible, like on a web site, does that mean it is in the “public domain”? NO! Just because a work is publicly accessible does not mean that it is publicly available for use by all. The term “public domain” refers specifically to copyright protection, or lack thereof, and does not refer to a work’s accessibility. Any work available on the Internet can be copyright-protected in the same way a physical book in a library or a photograph in a magazine would be.

DISCUSSION POINTS / QUESTIONS:

- When are CFP documents considered to be “available”... once finalized and released online in the Issue packets (i.e., before council has reviewed and acknowledged)... or at another point in time?
- Does the CFP web site need to modify existing statements regarding “copyright protection” or approved usage of CFP documents?

The “Conference-Developed Guides and Documents” page of the web site currently states:

As a result of the Issue Submission process, including deliberation and acceptance, the Conference for Food Protection may form a Committee that is charged with producing a guidance document related to retail food safety. The guidance documents are drafted through a representative Committee process and submitted back to the Conference for final review and approval. The guidance documents may be used by the FDA, other regulatory agencies, and the food industry and may be referenced in the Food Code. They are available to any interested parties.

The “footer” on each web page currently states:

Copyright © 2000-2013, Conference for Food Protection. All Rights Reserved.

Progress Report / Committee Activities with Activity Dates (since last report):

- Issue Co-Chairs are modifying the approved *Issue Review Process and Checklist* into an “abridged” version for non-committee submitted Issues (removing only those items specific to committee reports/Issues).
- Work on the following charge was completed prior to the August 2013 EB meeting but relate to documents to be discussed at the September conference call:
 - a. Complete the charge from Issue 2012 II-008 to "Expand Archive and Posting Capabilities of CFP Approved Documents" on the Conference web site and develop a process / procedure to ensure posting of all: – *draft procedure submitted with this report and addresses the three points below*

- i. Documents and attachments modified or edited after Issue packets are made available with reference to the original Issue number and attachment titles;
 - ii. Documents and attachments modified during and after council deliberations at the Biennial Meetings; and
 - iii. Final version of conference approved guides, documents, and presentations in both PDF and the original editable format.
 - d. Develop a "masthead, flag, nameplate, or style guide" to readily identify approved and posted documents as belonging to the Conference. – see *draft archive procedure submitted with this report for format requirements*
- Future activities to be submitted for EB consideration at the May 2014 Orlando meeting:
 - a. ISSUE COMMITTEE TASK:
 - i. Establish recommended "standard statements" for use by councils when editing "recommended solutions" and committee charges
 - ii. Request EB review and approve of the *Committee Periodic Status Report* template and instructions (originally submitted for discussion at the August 2013 EB meeting; due to time limits, this item will be re-submitted for discussion in May 2014)
 - b. ISSUE CO-CHAIR TASKS as requested by the ED:
 - i. Establish a written description of roles and responsibilities for each biennium regarding the Issue submittal and review process, to include:
 - (a) duties assigned to Issue Chairs;
 - (b) duties assigned to members of the CFP executive team; and
 - (c) duties contracted with 1EightyDesign
 - ii. Develop a suggested format for Council Chair periodic progress reports
- Ideas for the 2014-2016 biennium (not all suggestions are the responsibility of the Issue Co-Chairs):
 - a. Establish a "naming convention" for reports submitted to the EB for ease of retrieval from an alpha-generated list
 - b. Conduct a conference call when committees are formed explaining the responsibilities, timeline, and end result of Issues assigned by the Conference
 - c. Create webinars explaining the Issue submission process