13 August 2013

To: Interested Parties

Subject: Standards Council Decision (Final): D#13-6
Standards Council Agenda Item: SC#13-8-8-a
Date of Decision*: 31 July 2013

Attached is the final decision of the Standards Council on this matter.

Sincerely,

Amy Beasley Cronin
Secretary, NFPA Standards Council

c: D. Berry, M. Brodoff, L. Fuller, T. McGowan, K. Willette
Members, TC on Public Safety Telecommunicator Professional Qualifications (PQU-PST)
Members, Correlating Committee on Professional Qualifications (PQU-AAC)
Members, NFPA Standards Council (AAD-AAA)
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA’s codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the NFPA Regulations Governing Committee Projects and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.
SUMMARY OF ACTION (for convenience only; not part of official decision): The Standards Council voted to deny the appeal seeking, in effect, to not issue the 2014 edition of NFPA 1061, Standard for Professional Qualifications for Public Safety Telecommunications Personnel and to return to the 2007 edition.

DECISION:
At its meeting of July 29 – July 31, 2013, the Standards Council considered an appeal from Crystal McDuffie of the Association of Public-Safety Communications Officials International (APCO). The appeal requests that the 2014 edition of NFPA 1061, Standard for Professional Qualifications for Public Safety Telecommunications Personnel be returned to its original title, scope and content with the removal of all positions other than that of telecommunicator. Specifically, the appeal seeks to return the Standard to previous edition text; that is NFPA 1061, Standard for Professional Qualifications for Public Safety Telecommunicator, 2007 edition.

As background, the Technical Committee on Public Safety Telecommunicator Professional Qualifications (TC) has included a voting APCO representative since April 2000, with brief breaks in service due to APCO personnel changes. A voting representative was on the TC during the recent revision cycle. During the Fall 2011 Report on Proposals (ROP) meeting, the TC accepted a comprehensive set of modifications that included a change in the title and scope of NFPA 1061 as well as the addition of professional qualifications for several new telecommunications personnel. The APCO representative did not return her ROP ballot.

At the Fall 2011 Report on Comments (ROC) meeting, the TC further revised these changes based on the Public Comments received. The APCO representative voted affirmatively on all changes. After completion of the Fall 2011 ROC ballot, the TC requested a revision to its Committee scope to include communications positions (See Standards Council Minute Item 11-8-40, August 2011). During consideration of the Correlating Committee on Professional Qualifications (CC) ballot, APCO raised concerns regarding the scope of NFPA 1061. Even though these concerns were raised belatedly, the TC, with Council consent, slipped cycle for NFPA 1061 to the Fall 2012 cycle and issued a call for new Public Comments. At the same time the Council approved the requested scope change of the TC. Thereafter, during the second set of ROC meetings, APCO submitted Public Comments which sought to remove the new telecommunications positions, and return both the title and scope of NFPA 1061 to that of the 2007 edition. These Comments were rejected by the TC.
At the 2013 Association Technical Meeting (Tech Session), APCO made eighteen Certified Amending Motions (CAMs), but chose not to pursue CAMs 3–17. APCO did pursue three Certified Amending Motions: 1061-1 (to Accept Comment 1061-2 to return the title of the standard to “Public Safety Telecommunicator”), 1061-2 (Group Amending Motion to Accept Comments 1061-3 and 1061-4 to return the scope and purpose of NFPA 1061 to previous text) and 1061-18 (to Return the Entire Report.) All three motions failed on the floor. The result, therefore, arrived at by the NFPA standards development process is that the 2014 edition of NFPA 1061 should be issued as developed by the TC.

The appeal seeks to reject the result yielded by the standards development process, and in effect not issue the 2014 edition of NFPA 1061 as developed by the TC, and instead leave the 2007 edition in place. The 2014 edition, however, was fully considered and approved by both the responsible TC and CC over the course of a revision cycle that was expressly extended in order to allow full consideration of APCO’s views. The work of the committees was, moreover, supported by NFPA membership, which rejected the motions made by APCO. On appeal, the Council accords great respect and deference to the NFPA standards development process. In conducting its review, the Council will overturn the result recommended through that process only where a clear and substantial basis for doing so is demonstrated. In the view of the Council, this appeal does not present any clear and substantial basis on which to overturn the results yielded by the NFPA standards development process. Accordingly, the Council has voted to deny the appeal. The effect of this action is that the 2014 edition of NFPA 1061, Standard for Professional Qualifications for Public Safety Telecommunications Personnel will be issued as developed by the TC.

While the Council has denied the appeal, the Council would like to acknowledge APCO’s collaboration and stated willingness to work with NFPA. The Council hopes and anticipates that mutual consultation and cooperation will continue going forward and that APCO will continue its involvement in the NFPA standards development process. In the Council’s view, this is the best way to continue to raise and seek to address any existing or potential scope issues that may emerge.