Policy Committee Minutes

February 2, 2024

1.0   Roll Call – See Attachment 1.

2.0   Review of Agenda

With no revisions Patsy approved the agenda by unanimous consent.

3.0   Review of January 5 Minutes

With no revisions Patsy approved the minutes by unanimous consent.

4.0   Must versus Shall

The Consensus Standards Development Program is in the process of changing all uses of the word "shall" to "must" based on this very common interpretation.

> Use "must" not "shall" to impose requirements. "Shall" is ambiguous, and rarely occurs in everyday conversation. The legal community is moving to a strong preference for "must" as the clearest way to express a requirement or obligation.
>
> "Shall" has three strikes against it.
> * First, lawyers regularly misuse it to mean something other than "has a duty to." It has become so corrupted by misuse that it has no firm meaning.
> * Second—and related to the first—it breeds litigation. There are 76 pages in "Words and Phrases" (a legal reference) that summarize hundreds of cases interpreting "shall."
> * Third, nobody uses "shall" in common speech. It's one more example of unnecessary lawyer talk. Nobody says, "You shall finish the project in a week."
>
> For all these reasons, "must" is a better choice, and the change has already started to take place. The new Federal Rules of Appellate Procedure, for instance, use "must," not "shall."

During discussion, the committee decided to revise the Glossary to say "shall" means "must," to update critical documents in the queue including Policy 1-129, and to not do a global search and replace in all documents.

This led to a motion to revise the agenda to review SOP 1-100 and an editorial change to the definitions of "shall" and "must" in this SOP.

Motion to approve SOP 1-100: Ilona
Second: Paul
Vote Result: Unanimous

5.0   SOP 1-131

This SOP was created from the language previously in Policy 1-129 and then modified to include individuals who are not members of TNI and adding 4 appendices.

At the January 19 meeting, the Policy committee changed the title to be Obligations instead of Expected Conduct and then made conforming changes throughout the document. Section 6.6 relative to Robert's Rules of Order was added and the title of Section 10 was edited to refer to tests and exams rather than training courses. Other minor editorial changes were made.

Appendix C was not included in the January 19 draft. The committee revised the draft appendix by creating a bulleted list,

After the call, the numbered bullets in each section were transformed into subsections to be consistent with SOP 1-100.

Motion to approve SOP 1-131: Paul
Second: Elizabeth
Vote Result: Unanimous

6.0   SOP 1-101

At the Board meeting on January 10, the Board had extensive discussion on affiliate members with a strong belief this category needs to be tightened up, limiting the category such that members can only be added by invitation, and must agree to the ethics statement in Appendix A of SOP 1-131. Concern was also expressed about affiliate members being able to become a committee chair. Accordingly, the SOP was revised to add a definition of an affiliate member and section 7.1.5 was revised.

In addition, during the Robert's Rules of Order Session on January 23 in Columbus, the issue of providing an agenda at least two days in advance was determined to be an effective way for TNI committees to operate, so Section 10.1.3 was revised.

Note: In a sidebar discussion in Columbus, TNI staff discussed section 8.3 of this SOP related to who prepares the agenda, the Chair of the "Program Administrator. Consensus was the language as written was fine; each committee has flexibility in how this is done.

Finally, after noting that many TNI committee meetings at conferences and various webinars do not have a quorum, section 10.2.4 was added.

Motion to approve SOP 1-101: Paul
Second: Elizabeth
Vote Result: Unanimous

7.0   Revision to SOP 1-102, Voting Rules

During the Robert's Rules of Order Session on January 23 in Columbus, the issue of being able to have a discussion without a motion was determined to be an effective way for TNI committees to operate. However, upon advice from two parliamentarians, this approach needs to be contained in this SOP.

Accordingly, the attendees decided a good way to handle this would be for the first item of business at each meeting to be a review of the meeting agenda and for the Chair to use the parliamentary procedure of unanimous consent to thus place everything in the agenda on the table without a motion, second, and vote. In practice, the Chair would ask if there are any corrections or additions to the agenda, and then stare "So ordered."

The SOP would be modified for this purpose by adding Section 5.1.9

> Discussion of agenda topics may occur if at least 3 voting members are present, and the Chair approves the committee's agenda by unanimous consent. Edits to documents made during this discussion can only be approved by a vote of the committee as discussed in sections 5.2 and 5.3.

Motion to approve SOP 1-131: Paul
Second: Mei Beth
Vote Result: Unanimous

8.0   Review of Revision 2 to SOP 1-117, Continuing Education Units

Changes from the previous version include:
- Removed language relative to regional workshops.
- Changed Aims, Objectives, and Learning Outcomes to Learning Objectives.
- Changed 2/3 to 70%.
- Switched references and related documents.
- Other editorial changes.

The committee decided to remove the example of a Learning Objective.

Motion to approve SOP 1-117: Ilona
Second: Elizabeth
Vote Result: Unanimous

Attachment A Participants

Member	Represent	Affiliation	email	Present
Patsy Root, Chair	TNI Secretary	IDEXX	Patsy-Root@idexx.com	x
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