



## AOBA Policies and Procedures

### ARTICLE X: APPEALS

#### Section 1. Right of Appeal

If a candidate feels that the actions of the Board, with regard to any part of the examination, constitute unequal application of the regulations and requirements or standards, unwarranted discrimination, prejudice, unfairness or improper conduct of the examination, he/she has the right to appeal to this Board.

#### Section 2. Appeal Process

An appeal to the Board must be made in writing by the candidate to the AOA Staff of this Board, stating the reasons for requesting an appeal.

- Appealable Issues. Candidates may appeal to the Board to raise concerns relative to the examination's administration (i.e., alleged bias/prejudice of a member of an examination team or failure to follow established examination procedures).
- Non-Appealable Issues. The Board will not consider appeals based on examination content, sufficiency or accuracy of answers given to examination questions, scoring of the examination, scoring of answers to individual questions, and/or the determination of the minimum passing score.
- Procedure for Appeal. In order to appeal concerning the examination, a candidate must set forth the basis for the appeal on an Appeal Request Form and submit the form to the AOA staff. Appeal Request Forms may be obtained online at the AOBA website. The appellant should provide to the Board the specific basis of the appeal and any relevant documentation no less than sixty (60) days prior to the scheduled appeal.
- Timeframe for Appeal. The appellant must submit the completed Appeal Request Form to the AOA Staff within seven (7) days after the completion of the examination. Any appeal submitted after the deadline for submission of the Appeal Request Form will be denied.
- Evaluation of Appeal. Each appeal submitted on an Appeal Request Form within the deadline for completion as stated above, will be considered by the Board. A majority vote of the Board will determine whether the appeal is accepted or denied.
- Candidate Notification. Candidates will be advised by the Board of all decisions by certified mail within thirty (30) days of final action of the Board.
- Accepted Appeal. If the Board accepts an appeal, the candidate's examination will not be scored or recorded. A candidate whose appeal is accepted shall have the right to a new examination at the next scheduled examination date at no additional application or examination fee. All other fees incurred are the responsibility of the candidate. The appellant's original log may be utilized to retake the clinical examination. Retake examinations will be conducted in accordance with the format for the current examination.
  - If for any reason the appellant elects not to retake the examination at the next scheduled date, the appeal shall be considered null and void, and the candidate will be required to reapply for the certification examination. The application shall be considered in accordance with the criteria in effect at the time of the new application. The Board will consider exceptions to this stipulation for good cause, on an individual basis.
- Further Appeal.
  - Current examination: The candidate whose appeal is accepted shall not have the right to alter the original appeal of the current examination results, either within the Board or to the BOS.
  - Subsequent examination: The candidate whose appeal is accepted shall not have the right to appeal the next scheduled examination to the Board under this policy. However, the candidate shall have the right to appeal to the BOS.

#### Section 3. Level of Appeal

If the candidate is not satisfied with the results of an appeal before this Board, he/she has the right to further appeal to the Bureau of Osteopathic Specialists and the AOA Board of Trustees.

#### Section 4. Limitations

During any level of appeal described above the candidate will not be allowed by this Board to review any previous examination items.