



# AMERICAN OSTEOPATHIC BOARD OF SURGERY

## APPEAL POLICY

If the candidate believes that the action of the Board constitutes unequal application of regulations and requirements or standards, unwarranted discrimination, prejudice, unfairness or improper conduct of all or any part of an examination conducted by the Board, the candidate has the right to appeal to the Appeal Committee of the Board.

Appeal policy for examinations in Cardiothoracic Surgery, General Surgery, General Vascular Surgery, Plastic and Reconstructive Surgery, Neurological Surgery, Urological Surgery, and Surgical Critical Care:

### 1. Scope of Appeal

- a. **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).
- b. **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.

### 2. Procedure for Appeal

- a. All appeals must be made in writing. To file an appeal concerning the examination, a candidate must set forth the basis for the appeal in writing and submit it to a member of the examination team. The appellant must submit the appeal request to the examination team within **two (2) hours** of completion of the examination.
- b. **Late Appeals:** All appeals submitted after the two-hour deadline will be denied.
- c. **Evaluation of Appeal:** Each appeal submitted within two hours of completion of the examination will be considered by the Boards Appeal Committee. A majority vote of the Committee will determine whether the Board accepts or denies the appeal.
- d. **Notification of Candidates:** Candidates will be advised by the AOBS of the Appeal Committee's decision.

### 3. Effect of Decision

- a. **Decision to Accept Appeal**
  - i. **No scoring or recording of examination:** If the Appeal Committee accepts an appeal, then the candidate's examination will not be scored or recorded.
  - ii. **Right to retake examination:** 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 examination will be conducted by a different examination team. The candidate's original log may be utilized to retake the clinical examination. Retake examinations will be conducted in accordance with the format of the current examination.
  - iii. **Failure to retake the examination:** If, for any reason, the candidate elects NOT to retake the examination on 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. Exceptions for good cause to this stipulation will be considered on an individual basis by the Executive Committee.
  - iv. **Further Appeals:** (a) **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 AOA, and (b) **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 AOA.
- b. **Decision to Deny Appeal:** If an appeal is denied by the Board's Appeals Committee, the candidate shall retain the right to appeal to the AOA Bureau of Osteopathic Specialists (BOS). Candidates interested in appealing to the AOA should contact the American Osteopathic Association, Division of Certification, 142 East Ontario Street, Chicago, IL 60611. If an appeal to the BOS is denied, the candidate shall retain the right to appeal to the AOA Board of Trustees.