

## Policy on Appeals Prior to Certification

### Appeals Prior to Certification

#### A. Application Denial

Applicants who disagree with an adverse decision of the Certification Council may appeal, following the process in this policy, to the UCNS Board of Directors.

1. Definitions. Unless the context clearly indicates otherwise, the following definitions apply to this policy:
  - a. “Adverse decision” means a decision that denies, in whole or in part, an application to sit for a certification examination.
  - b. “Appellant” means a person who has filed a notice of appeal with the UCNS.
  - c. “Applicant” means a person who is applying for certification by the UCNS.
  - d. “Council” means the UCNS Certification Council.
  - e. “UCNS” means the United Council for Neurologic Subspecialties.

#### 2. Notice of Appeal

An applicant who disagrees with an adverse decision of the Certification Council may file a written notice of appeal with the Executive Director of UCNS. The notice of appeal must be filed within thirty calendar days after the applicant has been notified of the adverse decision and must include a \$100 filing fee.

#### 3. The Appeal

Within 10 calendar days after filing the notice of appeal, the appellant shall submit documentation that supports the appeal to the UCNS Executive Director. The preferred format of the documentation is a detailed letter explaining the basis of the appeal accompanied by enclosures that support statements within the letter.

#### 4. Submission to the UCNS Board of Directors

When the UCNS Executive Director has received the notice of appeal and any supporting documentation, the Executive Director shall promptly submit the Certification Council’s decision and appellant’s documents to the Board of Directors.

#### 5. Decision by the UCNS Board of Directors

The Chair shall determine whether to convene the Board of Directors for a formal meeting (in person or by telephone conference) or to rule on the appeal by an electronic vote. The Board of Directors shall act on the appeal within sixty calendar days after the Executive Director received the appellant’s documents described in paragraph four. The decision of the Board of Directors is final.

**6. Service of the Board's Decision.**

The UCNS Executive Director shall promptly serve the Board's decision by certified or registered mail to the appellant.

**7. Record of the Appeal**

The UCNS Executive Director shall retain all documents related to the appeal for five years. The Executive Director may provide a copy of the record to the appellant, if requested, at no charge.

**B. Failed Examination**

**1. Introduction**

Examinees who disagree with a negative determination on a certification examination may appeal to the UCNS Board of Directors in accordance with this policy.

**2. Definitions**

Unless the context clearly indicates otherwise, the following definitions apply to this policy:

- a. "Examinee" means an individual who has completed a UCNS certification examination.
- b. "Invalidated examination" means an individual examination score that, because of test site problems or other administrative problems, has been invalidated by the UCNS Board of Directors. An invalidated examination is not a failed examination.
- c. "Negative Determination" means a failing grade on a certification examination.

**3. Notice of Appeal**

An examinee may submit a written notice of appeal concerning a negative determination based on the belief that the examination was not properly administered at the examination site (e.g., if unanticipated problems in the testing environment at the examination site interfered excessively with the examinee's ability to focus on the examination).

- a. The notice of appeal must be delivered to the UCNS Executive Director within 30 calendar days after the examinee has been notified of a negative determination.
- b. The notice of appeal must include a non-refundable \$200 filing fee.
- c. The preferred format of the documentation is a detailed letter explaining the basis of the appeal with documentation that supports any statements or allegations in the letter.

**4. Submission to the UCNS Board of Directors**

When the UCNS Executive Director receives the notice of appeal, filing fee, and any supporting documentation, he or she shall promptly submit these appeal documents to the UCNS Board of Directors.

**5. Standard of Review**

The UCNS Board of Directors shall apply the following criteria to the appeal:

- a. The Board of Directors shall only consider whether the examination was properly administered at the examination site (e.g., if unanticipated

problems in the testing environment at the examination site interfered excessively with the examinee's ability to focus on the examination).

- b. The Board of Directors shall not consider challenges to individual questions and answers in the examination.
- c. If the Board determines that the examination was not properly administered at the examination site, the Board shall declare the individual score to be an "invalidated examination score," and allow the examinee to apply to sit for the next available examination without paying the examination fee.

**6. Decision by the UCNS Board of Directors**

The Chair of the UCNS Board of Directors shall determine whether to convene the Board for a formal meeting (in person or by telephone conference) or to rule on the appeal by an electronic vote. The Board shall act on the appeal within 60 calendar days after the candidate has submitted the notice of appeal and filing fee. The Board's determination is final.

**7. Service of the Board Decision**

The UCNS Executive Director shall promptly serve the Board's decision by certified or registered mail to the examinee.

**8. Record of the Appeal**

The UCNS Executive Director shall retain all documents related to the appeal for five years. The Executive Director may provide a copy of the record to the candidate, if requested, at no charge.