

ACVN Standing Appeals Committee Standard Operating Procedures

Applications for appeal must be sent via email to:

Chair of ACVN Appeal Committee:

June 4, 2019 through May 31, 2020: Dr. Dottie Laflamme, JunqueDr@yahoo.com

With copy to the Secretary of ACVN:

June 4, 2019 through May 31, 2020: Dr. Craig Datz, acvnsecretary@gmail.com

Important Guidelines and Timelines for Appellant

1. Adverse decisions by the American College of Veterinary Nutrition may include, but are not limited to:
 - a) Denial of certification of an individual.
 - b) Denial of adequacy of credentials.
 - c) Denial of a proposed residency program.
 - d) Suspension of certification.
 - e) Failure of the examination.
2. In the event of an adverse decision by the College, the College shall advise the affected person or the mentor of the affected residency program of the procedure for appealing the adverse decision. The affected party may appeal for reconsideration or review of the College's decision only on the grounds that the College has ruled erroneously by:
 - a) Failing to consider relevant evidence or documentation presented.
 - b) Disregarding the established College criteria for achieving board certification.
 - c) Failing to follow procedures as stated in the policies and procedures documents.
3. Appeals must be received by the Chair of the ACVN Appeals Committee within 30 calendar days of receipt of the decision being appealed. The Appeals Committee will complete an initial review of the submission within 30 days following receipt by the Chair, but may require up to 60 days for final review if additional information is required. The Appellant shall be notified of the Appeals Committee's decision by email within 10 days once that decision has been reached.

Procedure for Appeals

1. An individual who objects to a decision of the Executive Board or an ACVN Committee has the right to appeal to the Appeals Committee. The individual may petition the Appeals Committee to reconsider any decision including, but not limited to, residency program approval, training, credentialing including case report evaluations, examining, certifying, or maintenance of certification processes.
2. The individual desiring to appeal an adverse decision or action shall adhere to the following procedures:

- a) Appeals may be based only on grounds that the ACVN or one of its Committees has ruled erroneously by:
 - a. Failing to consider relevant evidence or documentation presented.
 - b. Disregarding the established College criteria for achieving board certification.
 - c. Failing to follow procedures as stated in the policies and procedures documents.
 - b) Appeals based upon the content of the examination, the method of grading or the pass point of the ACVN Certifying examination will not be considered.
 - c) The Notice of Appeal shall be provided in writing and submitted by email to the ACVN Appeals Committee Chair, with copy also to the Executive Board's Secretary.
 - d) The Notice of Appeal must be filed within thirty (30) days of the delivery of the decision being appealed. Appeals received after the 30-day deadline will not be considered.
 - e) The Notice of Appeal must include a statement of the grounds for reconsideration, and written documentation, if any, in support of the appeal. The statement must include:
 - i. A description of the decision being appealed
 - ii. The date of the decision being reviewed
 - iii. The reason(s) the decision is alleged to be erroneous
 - iv. A statement of the corrective action(s) sought
 - a) Any supporting documents and evidence shall be included with the Notice of Appeal at the time of submission. If new or additional supporting evidence is included with the Notice of Appeal that was not available or not considered in reaching the decision being appealed, the appellant must provide justification as to why such evidence was not available at the time of the decision being appealed.
3. Requests for appeal shall be acknowledged by the Chair of the Appeals Committee by return email, with copy to the ACVN Secretary, within 7 days of receipt. If such acknowledgement is not received by the appellant, the appellant must follow up with the Secretary of the ACVN to assure that the Appeal has been received.
 4. The ACVN Appeals Committee must complete an initial review within thirty (30) days of receipt of the request. The Appeals Committee may extend this time period an additional thirty (30) days, for good cause, provided written notification is made to the appellant. Upon completion of its review, the Appeals Committee will provide its decision in writing via email to the appellant and to the ACVN Executive Board, simultaneously, within 10 days of reaching its decision.
 5. The decision of the Appeals Committee shall be final and there is no further right of appeal.

Appeals Committee Review Process

1. All appeals will be reviewed by three members of the Appeals Committee. The Appeals Committee shall consist of a Chair plus four members to include two active and two alternate members. Should an active member or the Chair be unavailable or need to recuse him/herself from an individual appeal, an alternate member will assume that role.
2. Preliminary Disposition. The Appeals Committee Chair shall conduct an initial review of each appeal to determine if all procedural / administrative requirements for further review are satisfied. The Chair has the right to, but is not obliged to seek additional information, in any

form, or clarification from the appellant, respective ACVN Committee, ACVN Executive Board, or any other source regarding the initial decision being appealed from. In the event that the Chair concludes that procedural / administrative requirements were not satisfied, the request for appeal shall not be considered by the Committee and shall be returned to the appellant for further revision/completeness. The appellant then will have 30 days to submit any revisions to the ACVN Appeals Committee Chair. Any resubmitted requests for appeal received after the 30-day deadline will not be considered. Notice of rejection of incomplete or late submissions shall be provided to the ACVN Executive Board.

3. Upon concluding that the appeal satisfies all procedural / administrative requirements for further review, the Chair shall notify the members of the Appeals Committee of the appeal.
4. Meetings of the Appeals Committee shall be called upon notice to Committee Members by the Committee Chair and will include a copy of the agenda for the meeting together with a copy of the notice of appeal. Meetings may comprise of electronic communications, teleconferences, or physical meetings, as determined by the Chair. The Appeals Committee may, but shall not be obliged to, request additional information considered necessary to make reasonable findings.
5. All written communications shall be marked “Confidential.”
6. The appeal review shall be limited in its scope to grounds cited in the notice of appeal and the review by the Appeals Committee will include relevant documentary evidence and written submissions.
7. Decision on appeals is determined by majority vote. Mail (e-mail) voting is permitted where all involved Committee members submit mail (e-mail) votes and where a unanimous decision is reached.
8. The appellant or other relevant individuals may, at the discretion of the Appeals Committee, be invited to appear at a meeting of the Appeals Committee or to participate in a conference, teleconference, or videoconference with the Committee for the purpose of clarifying any of the written submissions set out in the notice of appeal.
9. The Appeals Committee shall simultaneously notify the appellant and the ACVN Executive Board of its decision via email in most cases within 40 days, but in all cases no later than 70 days, following receipt of any appeal that satisfies all procedural / administrative requirements. The ACVN Executive Board will then inform relevant ACVN Committee Chairs involved in the original decision.
10. Following communication of the Appeals Committee’s final decision, all documentation will be forwarded from the Appeals Committee Chair to the ACVN Secretary for proper preservation of documents. Committee members will delete and destroy all related documentation.