

PROCEDURE 14: HANDLING APPEALS PERTAINING TO ACCREDITATION STATUS

PURPOSE

To outline a Procedure for the handling of appeals by CABs relating to accreditation status:

SCOPE

This procedure outlines the process for CAB appeals regarding accreditation decisions.

PROCEDURE

1. Right of Appeal: The CAB or applicant CAB may appeal the decision of the Board pertaining to the granting of accreditation, a change in accreditation status, or the refusal to reduce or extend the scope of accreditation (see Procedure 12: Modification of Accreditation Status).
2. The appeal shall be submitted in writing and shall state the reasons for the Board changing or modifying its decision.
3. The appeal shall be submitted by the CAB or applicant CAB to the Board through the Administrative Manager within 90 business days of receipt of the Board's adverse decision (see Procedure 12: Modification of Accreditation Status).

Evaluation of Appeal

1. The President shall appoint an Appeal Process Committee (APC) of at least three Directors, including the Vice President, who shall act as chair, and two other Directors.
2. The Chair, with the concurrence of the Committee, may solicit assistance from non-Board members (lawyers, investigators, CAB members, etc.) in the event such individuals may provide additional benefit. Costs must be approved by the President, Treasurer, or Board. (See Policy Manual Section 9.2).
3. Those providing outside assistance must sign the *Code of Ethics and Conduct*, and an *Annual Agreement and Disclosure Concerning Impartiality, Conflict of Interest, and Confidentiality for Persons Involved in FSAB Accreditation Activities*.

The APC shall make its recommendation to the Board.

Board Review

1. The Board shall act following consideration of the APC's recommendation(s) and the CAB's written submissions.
2. The Board may invite a representative of the appellant CAB to make a presentation before the Board as to why the Board's decision should be modified.
3. A 2/3 vote of the Board in the affirmative shall sustain an appeal.
4. Board decisions shall be documented, and notices made to the pertinent CAB or applicant CAB with acknowledgment requested from the recipient.
5. If possible, the full appeals process shall be completed within 60 business days following the filing of the appeal.
6. Records of such decisions shall be maintained in confidence.

Appeal Record Maintenance

1. All appeal records shall be archived.
2. These records shall include a list of APC members, dates/times of meetings, appellant submissions, and recommendations made, as well as full Board actions taken.

Mediation

1. Purpose of mediation – Should an appeals process fail to resolve the appeal to the satisfaction of the CAB and/or the FSAB, the parties shall have the right to have the appeal resolved through mediation.
2. The mediator shall be chosen by agreement of the parties.
3. Decision – The resolution reached through mediation shall be final.
4. Costs – The party requesting mediation shall bear the costs of the mediation except for the following circumstances:
 - a. The party producing a witness shall pay witness expenses.
 - b. Each party shall bear the costs of its own travel expenses.