

## College of Massage Therapists of Ontario

### EXAMINATION APPEALS

#### Policy

Examination candidates have the right to appeal examination results within the specific criteria established by the College.

#### Section 1: Grounds for Appeal

- 1.1 Candidates may appeal certification examination results in situations restricted to extraordinary circumstances that had arisen coincidentally with the holding of the examination. Coincidentally is defined as within 24 to 48 hours prior to the examination or during the delivery of the examination. Extraordinary circumstances outside the control of the candidate are those that make a candidate's experience different from everyone else and were severe enough to account for the candidate's overall failure and were properly reported by the candidate to the College. Unless *all* of the above conditions are met, no circumstance will be considered grounds for appeal.

Examples of extraordinary circumstance may include, but are not limited to a candidate's unexpected, acute and verifiable medical condition, equipment malfunction, or gross misconduct on part of the examination staff.

- 1.2 If documentation of the extraordinary circumstances is not received by the College within seventy-two (72) hours of the examination, a candidate will have forfeited his/her right to appeal.

#### Section 2: Method of Appeal

- 2.1 All appeals shall be set out in writing, detailing the nature of the appeal and all particulars necessary to sufficiently allow the appeal to be adjudicated, together with the applicable non-refundable fee of \$100.00. An appeal submission must include the candidate's desire to appear before the Appeals Committee for a 10-minute presentation, if he/she chooses to do so, to offer additional information or to expand on information already provided.
- 2.2 Candidates shall use one of the following forms of delivery: e-mail, fax, mail or personal delivery. The appeal must be submitted by the candidate to the College within seven (7) days after the mailing or delivery of the results of the examination.

#### Section 3: Appeal Procedure

- 3.1 Appeals will be forwarded to the Appeals Committee at a regularly scheduled meeting for their consideration.
- 3.2 Candidates will be informed of the meeting schedule if they have indicated the intention to appear before the Committee in the appeal submission.
- 3.3 For the purposes of considering the Appeal, the Committee shall consider, where applicable the following:
1. The candidate's statement of appeal;
  2. The candidate's extraordinary circumstance statement;
  3. The candidate's verbal presentation to the Committee when made;

4. A statement from the College concerning the exam process relevant to each case and candidate data;
  5. A statement from the College concerning exam content and process issues; and
  6. Examiner reports.
- 3.4 The Appeals Committee may do one of the following, based upon evidence presented and considered:
- a. Grant the appeal.
  - b. Deny the appeal.
  - c. Deny the appeal and grant the appellant an attempt at the next examination with the previous unsuccessful attempt not being counted as part of the allowable attempts under the Examination Regulation.
- 3.5 The College shall, no later than fifteen (15) business days after the Appeal Hearing, notify the candidate of the Committee's decision, by mail only.
- 3.6 All communications concerning the appeal will be made only between the College and the candidate.

All decisions of the Appeals Committee are final.

Approved: May 1994  
Amended: November 1998, February 2001, February 18, 2005, January 6, 2006, September 29, 2006, November 26, 2007