EXAMINATION APPEAL POLICY & PROCEDURE

AUTHORITY:

WREB has two Appeals Committees, one for Dental Appeals and one for Dental Hygiene Appeals (individually a “Committee” and collectively the “Committees”). Members of each Committee are appointed by the President. Each Committee has two Co-Chairs. For the Dental Appeals Committee, six dental examiners (one of whom will be the current Treasurer of the Board of Directors and one will be the President-Elect) are appointed to review dental appeals. For the Dental Hygiene Appeals Committee, four dental hygiene examiners are appointed to review dental hygiene appeals. The appointments to both Committees are rotating four-year terms. Members of the Committees must be current WREB Examiners.

PURPOSE:

The Committees develop policies and procedures that provide anonymous, impartial, and timely examination appeal procedures. The Committees are charged with the responsibility of providing an appeals process to WREB candidates who have (i) failed any of the Clinical Examinations, (ii) received a reduction in an exam score, (iii) engaged in any Improper Performance (as defined in the Candidate Guide), (iv) engaged in any Unethical Conduct (as defined in the Candidate Guide), or (v) any other event or irregularity that occurred at an exam. If any of the above has occurred, the Candidate may file an appeal with WREB. For Improper Performance or Unethical Conduct, exam results will be withheld pending results of the appeal.

If a candidate fails an exam or is dismissed from an exam due to Improper Performance or Unethical Conduct, then the candidate must seek permission from the WREB Board of Directors prior to retaking the exam. See the Candidate Guide for other consequences of engaging in Improper Performance or Unethical Conduct.

APPEAL PROCESS:

Two members of the applicable Committee are assigned to each appeal. They review the appeal sequentially and independently and document their findings by letter to the assigned Committee Co-Chair. The Co-Chair reviews and summarizes the responses of the committee members to make sure that the appeals procedure has been followed and notifies the candidate, through the WREB office, the results of the appeal. The Co-Chair may request additional reviewers be assigned to the appeal and continue the investigation if further information is deemed necessary to reach an anonymous, impartial, and timely conclusion before notifying the candidate, through the WREB office, of the results.

PROCEDURES:

The following action will be taken when a candidate elects to file an appeal: The candidate will be notified of the exam results as soon as possible following the examination (except for candidates that have engaged in Improper Performance or Unethical Conduct, in which case their exam results are withheld pending the results of the appeal). If the candidate fails the exam or was dismissed from the exam for any reason, a standardized report summarizing his or her performance in all areas of the examination will be sent with the notification of failure or reason for dismissal. After review of the report, the candidate may request an appeal form and file a formal appeal.

A. If the candidate elects to appeal, the appeal must be completed on the forms supplied and received in the WREB office no later than 45 days after examination results are posted online. This 45-day deadline may not be extended, and late appeals will automatically be rejected. The appeal must
be typed or legibly printed. Utilizing a narrative format, the appeal must include all specific and factual information needed to support the appeal. Radiographs, photographs or models taken by the candidate of a patient during or after completion of the examination cannot be considered in the appeals process. Consideration can only be given to documents, radiographs, etc., that were submitted to the examiners during the examination.

B. Upon receipt of a timely and properly filed appeal that complies with the requirements of “B” above, WREB will assign an appeal number to the appeal. To maintain anonymity, the face sheet containing information identifying the candidate will be removed. The appeal will be duplicated, and the original face sheet will be attached to the duplicate appeal. The appeal, along with the candidate’s exam documents, will then be forwarded to two members of the Committee. Any appeals member who was a grading examiner at the contested examination will be prohibited from reviewing the appeal. When necessary, the WREB office will remove any candidate information which jeopardizes anonymity, and/or any other documentation which is not subject to the appeals process.

C. This appeals packet will contain a tracking form (the “Tracking Form”) to document the date the appeal is received by the committee members. The packet also contains the candidate’s original appeal form; the clinical and patient forms, records and radiographs; grading records, copies of any forms issued during the exam (Instructions to Candidate, Patient Check-In, Late Penalty, etc.); all pertinent WREB clinical forms addressing the nature of the complaint; and a copy of the Candidate Performance Report summarizing candidate performance, which was previously sent to the appealing candidate. The packet may also contain any supporting materials the candidate sends excepting those listed in Paragraph B above (i.e. - radiographs, photographs or models taken by the candidate of a patient during or after completion of the examination cannot be considered in the appeals process).

D. No materials from previous or subsequent exams or appeals of the candidate will be included or referred to in the appeal.

E. The investigation by each Committee member must include a review of all documentation concerning the examination results, and the performance of the appealing candidate. It may include such additional investigation as determined by the Committee members or deemed warranted by the circumstances of the appeal.

F. Upon completion of the review of the candidate’s file and making any necessary interviews and investigations, each Committee member will set out the following elements of review in a letter addressed to the Chair of the Committee. The letter must be formatted to include:

1. Statements summarizing each element of the appeal submitted by the candidate in each procedure being appealed.

2. Facts which the committee member finds in reviewing each element of the candidate’s appeal, and the contents of the file. It will also include facts obtained in any interviews, in the review of WREB procedures, or contained in the Candidate Guide.

3. Conclusions of the validity of those claims regarding any failure of WREB, or its agents, to follow the procedures of the exam as set forth and adopted by the WREB Board. The Committee member must specifically state whether the candidate’s appeal is either upheld or denied.
This letter will be detailed, specific, and should address each aspect of the appeal, including the final decision on whether the appeal is upheld or denied. It will be placed in a sealed envelope containing the appeal number on its face and mailed with the contents of the appeal packet to the next member assigned to review the appeal, as designated on the tracking form provided. The committee member will remove, date and sign the copy of the Tracking Form indicating that he or she has completed the review of the appeal, and the Tracking Form will be forwarded to the WREB office. The appeal packet containing all review documents and the sealed letter will be forwarded to the next Committee member. All reviews must be completed in a timely manner and forwarded, as soon as possible, to the next Committee member.

G. At the completion of the second review, the appeal packet containing all information, and two sealed letters, will be forwarded to the assigned Co-chair of the Committee. If the Co-chair finds that a majority opinion exists, he or she will draft a letter with the results of the appeal process. The letter must be detailed, specific and address each aspect of the appeal. The co-chair will then mail or fax the letter to WREB, where it will be addressed to the candidate, and sent to the Candidate’s email on file.

If the Co-Chair finds that the sealed responses result in a tie vote as to the action recommended, he or she will review all the information contained in the appeal packet. The Co-Chair will document his or her findings in a letter, and will become a third reviewer of the appeal. The Co-Chair will create a majority opinion, draft a letter notifying the anonymous candidate of the decision of the committee. This letter will be mailed or faxed to the WREB office where it will be addressed to the candidate, and sent to the Candidates email on file.

In review of the appeal, the Co-Chair must make sure that all reviewers have identified the relevant issues or questions raised in the appeal. If the Co-Chair finds that a reviewer has failed to identify an issue(s), misidentified an issue(s), or has based his or her decision on peripheral or unrelated issues, that opinion will be eliminated from consideration. The Co-Chair will provide a memo noting the reason(s) for removing the reviewer from the appeal process as part of the appeal packet.

The Co-Chair may then return the packet to the reviewer to rewrite his or her letter according to the specified format or may forward the packet to the WREB office and request that the appeal be sent to another committee member for review.

GROUND FOR APPEAL:
The only basis for granting a favorable finding to a candidate’s appeal is if the Committee determines that:

1. Clerical errors were made by WREB administrative staff, examiners, or support personnel, which, if corrected, would change the grade to a passing score.

2. Technical error(s) were made by an examiner which would change the grade to a passing score (i.e. - not following WREB procedures or criteria).

3. Significant, uncompensated time loss occurred as a result of equipment or facility breakdowns during those unscheduled sections of the examinations which do not allow the candidate to complete procedures to the required end of day check-out stage. The time loss must have been reported and documented by a Floor Examiner during the exam.
4. Significant, uncompensated time loss occurred during timed segments of the examination. The time loss must have been documented during the exam.

The determination of time loss compensation must be made by a Floor Examiner or other designated WREB personnel on site. The WREB official clock will be used to determine time loss questions.

In addition to the above, the candidate must not have (i) engaged in Improper Performance, or (ii) engaged in Unethical Conduct.

The following will not be considered in the appeal process:

1. It is neither consistent nor reasonable to suppose that examiners can accurately and objectively better judge matters after an examination has ended than they did during the examination. It is impossible for an examiner to change a grade in any meaningful way. Exam scores cannot and will not be altered by the Committee unless there is determined to be a technical error, not a perceived judgment error. The Committee is obligated to base its judgment of technical errors upon its knowledge of the examination, the calibration process used by WREB, and upon evidence presented by the appealing candidate in a systematic, consistent, reliable and rational manner.

2. Appeals based upon patient behavior, tardiness, or failure to appear will not be considered. WREB does not provide patients, and is not responsible for this aspect of the examination. Problems requiring follow-up care are the responsibility of the candidate and are approved by the patient and candidate before the examination begins.

3. WREB contracts with the host institution to include certain minimal materials, support personnel to dispense these materials, support personnel to maintain and repair equipment in working condition within a reasonable amount of time. Appeals based upon failure of the host institution will only be considered in instances when a floor examiner was made aware of the problem when it occurred at the examination, and not “after-the-fact” or at the completion of the examination.

4. Appeals based upon dental laboratory failure to perform will not be considered. WREB neither requires nor provides commercial laboratory services. It does not endorse any commercial laboratory. It does collect the user fee on behalf of the candidate charged by the institution hosting the examination. That fee includes candidate access to the institution’s student laboratories and the equipment contained in the laboratory during the hours it has contracted to remain open while the examination is in process.

POLICIES:

The following policies will be in effect for all candidates, Committee members, WREB Board members, the WREB Chief Executive Officer, and WREB staff, in the review process.

A. The Committee will make every effort possible to complete the appeal process within 90 days of the receipt of the appeal by WREB. When extended investigation becomes necessary, WREB will inform the candidate by letter of this extended investigation.

B. In many cases, WREB cannot process, evaluate, and make final decisions on appeals prior to the next examination. In cases where a candidate successfully completes another examination while his or her appeal is being evaluated, that appeal will be automatically dropped. If a
subsequent examination is failed, the appeal process will continue to completion and a decision rendered without the Committee's knowledge of the candidate's performance on that examination.

C. Exam application fees will be refunded in full in the event a candidate has made payment for a subsequent examination and a favorable appeal is granted before that examination is taken.

D. Appeal fees will be refunded in full in the event the appeal is upheld. This is the only situation that allows a refund. In all other cases there is no refund, including an appeal that is dropped when a subsequent exam is passed.

E. WREB will maintain a log of all appeals and take appropriate action to bring them to a timely completion.

F. WREB will provide all members of the Committee with a meaningful summary of statistics regarding the appeal process annually. This summary will become a part of the Committee's annual report to the WREB Board of Directors.

G. Once finalized, the appeal will become a permanent part of the candidate's file maintained in the WREB administrative office.

H. The Appeals process is the final review authority. If an appeal is denied for any reason, there is no further review process available.