**Appeals against Decisions on Certification and Recertification**

**Policy:**

The Certification Committee shall receive, evaluate and make decisions on appeals by applicants, candidates, or certified person for reconsideration of any decision made by the Certification Committee related to her/his desired certification status.

The appeals-handling process shall include at least the following elements and methods:

a) a process for receiving, validating and investigating the appeal, and for deciding what actions are to be taken in response to it, taking into account the results of previous similar appeals;

b) a process for tracking and recording appeals, including actions undertaken to resolve them; and

c) process for ensuring that, if applicable, appropriate corrections and corrective actions are taken.

The Certification Committee shall ensure that the decision-making personnel engaged in the appeals-handling process are different from those who were involved in the decision being appealed.

Submission, investigation and decision on appeals shall not result in any discriminatory actions against the appellant.

Receipt of the appeal shall be acknowledged, and the appellant shall be provided with progress reports and the outcome. Formal notice to the appellant of the end of the appeals-handling process shall be given.

Denied applicants may appeal decisions on certification, in the event they believe that the eligibility criteria have been inaccurately, inconsistently, or unfairly applied.

Certificants and candidates may not appeal the following decisions:

* Denial of a request for additional time to acquire education, employment experience or supervision required for certification or recertification,
* Denial of a request for additional time to submit the documentation required for certification or recertification,
* Denial of a request for additional time to sit for the written examination for certification if an extension was not requested in writing and granted no less than two (2) business days prior to examination deadline,
* Denial of a request for reconsideration of certification due to failure of the written examination for that certification.
* Denial of application for failure to pay required fees.
* Denial of application for lack of required professional development hours.
* Decision to revise eligibility requirements.

**Procedure:**

*Levels of Review*

There are two levels of appeal against decisions on certification or recertification. The first is to the Certification Committee and the second is to the Publishing and Education Council (PEC). This structure provides for the following:

* Timely resolution,
* A review of the relevant facts,
* Independent evaluation of the materials presented.

Appeals must be sent within thirty (30) days of the certification or recertification decision in question to Certification management staff, who shall acknowledge receipt of the appeal and review the appeal within fifteen days (15) to determine its validity. A valid appeal must fulfill the following conditions:

a) Include the name and email of the appellant,

b) Describe the certification decision against which the appeal is made,

c) Fulfill the definition of a valid certification decision,

d) Describe the requested outcome with an explanation why the requested outcome is fair and equitable,

e) Any relevant supporting documentation.

If an appeal is not valid, Certification management staff will inform the appellant, in writing, and allow the appellant fifteen (15) days to supply the missing information. If the required information is not submitted within that time, the appeal shall be closed.

*First Level of Appeal*

Only documentation included with the first appeal request will be considered at either level of appeal. The Certification Committee may, in its purview, request additional information from the applicant.

Upon receipt of a valid appeal and any additional requested information, the Certification Committee shall endeavor to consider and make a decision on the appeal within forty-five (45) days.

The decision will be made by majority vote of the Certification Committee.

The decision rendered by the Certification Committee, including any corrections or corrective action, shall be sent to the appellant within 15 days after the Certification Committee’s decision.

The following key elements of the first level of appeal shall be tracked and recorded in an Appeals Log:

* Certification program & appellant I.D.
* Date appeal received
* Date receipt of appeal acknowledged
* Date of decision under appeal
* Date appeal validated
* Date of Certification Committee decision
* Committee decision, including any corrections or corrective action
* Date corrections or corrective action taken
* Date Appellant notified of Certification Committee decision
* Date Appellant notified of the end of the first level of the appeals-handling process

*Second Level of Appeal*

If the Certification Committee upholds the decision on certification or recertification, the appellant may request a second level of appeal. Such an appeal will be decided by an appeals committee of three ASHRAE members who will be appointed by the Chair of the PEC from the members of the PEC. The Chair and Vice Chair of the Certification Committee are not eligible to serve on the appeals committee. The members of this appeals committee will be given all documentation and information submitted by the candidate, plus any and all documentation from ASHRAE relevant to its reasons for denial.

A valid request for a second level of appeal must set forth specific objections to the determinations made by the Certification Committee in rendering its decision in the first appeal. No additional documentation may be included.

Second level appeals must be sent within thirty (30) days of the certification or recertification decision in question to Certification management staff, who shall acknowledge receipt of the appeal and review the appeal within fifteen days (15) to determine its validity.

Once the appeal has been determined to be valid, the appellant will be notified in writing of the date of the meeting of the appeals committee to review the appeal.

The appeals committee shall endeavor to consider and make a decision on the appeal within forty-five (45) days.

The appeals committee will review the appeal and make a decision based on a majority. The decision of the appeals committee will be final and cannot be appealed further. The decision rendered by the appeals committee shall be sent to the applicant within thirty (30) days.

The following key elements of the second level of appeal shall be tracked and recorded in an Appeals Log:

* Date second level of appeal requested
* Objections to Certification Committee decision stated
* Objections
* Date second level of appeal validated
* Date appellant notified of Appeals Committee meeting date
* Appeals Committee meeting date
* Appeals Committee decision, including any corrections or corrective actions
* Date corrections or corrective action taken
* Date Appellant notified of Appeals Committee decision
* Date Appellant notified of the end of the second level of the appeals-handling process