



National Board for Certified Counselors
Center for Credentialing & Education
Examination Appeals Policy

Oct. 27, 2022

A. INTRODUCTION

The National Board for Certified Counselors, Inc. (NBCC) develops and administers examinations to applicants eligible for NBCC professional certifications, as well as State licensure candidates. In addition, the Center for Credentialing and Education, Inc. (CCE), a corporate affiliate of NBCC, provides examination administration services to NBCC, and develops and administers examinations to eligible applicants for CCE credentials. This Policy explains the procedures that apply to all NBCC and CCE examination appeals, including appeals related to test administrations, special examination accommodations, and examination content. NBCC and CCE credential applicants, and State licensure candidates, are collectively referred to as examinees in this Policy.

As the examination administrator, NBCC/CCE may take any of the following actions with respect to an examinee's test administration or test score:

1. Deny access to, or terminate, an examination administration when the examinee engages in prohibited conduct, including, but not limited to: refusing or failing to comply with a test administration policy, rule, or procedure, or proctor/examination administrator instruction; cheating; bringing unauthorized materials or communication devices into the testing room; accessing other computer programs, applications, or content during an examination; disrupting the testing process; and, communicating with other examinees or persons during the testing process.
2. Invalidate an examinee's test score when NBCC/CCE determines that the examinee has: acted contrary to a test administration policy, rule, or procedure, or proctor/examination administrator instruction; engaged in cheating or other prohibited conduct; brought unauthorized materials or a communication device into the testing room; accessed other computer programs, applications, or content during an examination; or, communicated with other examinees or persons during the testing process.
3. Deny access to, or terminate, an examination administration when the examinee: fails to accept a special testing accommodation approved by NBCC/CCE or the responsible State licensure agency; or, requests additional special test accommodations during the test administration that were not approved by NBCC/CCE or the relevant State licensure agency.

B. GENERAL POLICY TERMS

1. Nature Of The Process: All appeals related to examinations administered by NBCC/CCE are governed by the procedures contained in this Policy. These procedures are the only way to resolve all examination-related issues, including matters regarding examinee testing irregularities. The informal procedures in this Policy are not legal proceedings, and are designed to operate without the assistance of attorneys. Examinees are encouraged to communicate directly with NBCC/CCE, unless otherwise specified. An examinee may retain an attorney to represent him/her with respect to an examination appeal, at his/her sole expense. An attorney representing an examinee will be required to communicate with NBCC/CCE only through the NBCC/CCE General Counsel and Chief Legal Officer, or his/her designee.

2. Time Requirements: NBCC/CCE will make reasonable efforts to follow the time requirements identified in this Policy. However, a failure by NBCC/CCE to meet a time requirement will not prohibit the review or final resolution of any matter arising under these procedures. Examinees are required to comply with all specified time requirements. Time extensions may be granted by NBCC/CCE if a timely, written request is submitted explaining a reasonable cause for the extension.
3. Confidentiality. In order to protect the privacy of examinees involved in an appeal, all materials prepared by, or submitted to, NBCC/CCE will be confidential, except as otherwise stated in this Policy. Disclosure of material prepared by or submitted to NBCC/CCE is permitted only when specifically authorized by an NBCC/CCE policy and/or an authorized organizational representative. Examinees are authorized to informally communicate only with specifically designated NBCC/CCE representatives. In order to protect the confidentiality of examinee information, NBCC/CCE will only communicate with the examinee or his/her attorney concerning an examination, and not with an examinee representative.

Among other information, NBCC/CCE will not consider the following materials and documents to be confidential: (a) published policies, including credentialing and licensing criteria; (b) records and materials that are disclosed as the result of a legal requirement; (c) at the request of an examinee, any test information that the examinee would like made available to other credentialing agencies or organizations; and, (d) final NBCC/CCE examination appeal decisions and actions.

4. Examination Security: NBCC and CCE do not permit the disclosure or release of any test items or answers to examinees or any third parties, in order to protect the security of examination materials. Such examination materials will not be released with respect to examination appeals.
5. Failing To Report For An Examination: An examinee, who fails to report for a test administration at the scheduled appointment time, forfeits all fees paid related to the examination, unless otherwise determined by NBCC/CCE. In such situations, the examinee will be required to complete a new test registration form and pay the applicable examination fees, in order to re-register for the examination.

C. EXAMINATION ACTIONS/ EXAMINEE APPEALS

1. Acceptable Grounds For Examination Administration, Examination Content, And Special (Disability) Accommodation Appeals/ Required Information. Examinees may submit an appeal concerning an examination administration, the content of an examination, or a special examination accommodation under the following circumstances:
 - a. Examination Administration Appeals. An examinee may appeal a failing test result where the examinee believes that a test administration condition negatively affected his/her ability to complete or pass the examination (administration appeal). Such appeals are limited to examinee complaints regarding significant physical test site conditions, test computer equipment problems, test administration issues, and the conduct of test center personnel or others present during the test administration.

In order for an administration appeal to be considered by NBCC/CCE, the examinee must: (1) promptly report and identify the test administration condition or issue to the test proctor or examination administrator at the test center, or through the online proctored examination session, immediately following the examination administration, and provide all relevant information requested by the proctor/administrator concerning the condition or issue necessary to complete a Case Report; and, (2) submit a completed Examination Appeal Form on the NBCC/CCE website, consistent with Policy Section D.1, describing the test administration condition or issue affecting the examinee's performance on the examination, and identifying the Case Report number provided by the proctor/administrator at the test center, or through the online proctored examination session. The Examination Appeal Report must be submitted to NBCC/CCE within seven (7) calendar days of the test administration.

- b. Examination Content Appeal. An examinee may appeal one or more specific examination items and/or answers as inaccurate or incorrect, where the examinee believes that his/her failure to receive credit for such items and/or answers caused the examinee to fail the examination (content appeal).

In order for a content appeal to be considered by NBCC/CCE, the examinee must: (1) submit a completed Examination Appeal Form on the NBCC/CCE website, consistent with Policy Section D.1, identifying the specific test items and/or answers subject to the Appeal; and, (2) submit a detailed statement explaining why the examinee believes that the identified test items and/or answers are inaccurate or incorrect. The Examination Appeal Form must be submitted to NBCC/CCE within fourteen (14) calendar days of the test administration, and be supported by references to relevant professional sources, particularly peer-reviewed, scholarly literature that show that the identified test items and/or answers are inaccurate or incorrect.

- c. Special (Disability) Examination Accommodation Appeals. An examinee may appeal an alleged failure to provide an approved special (disability) examination accommodation during the test administration, or other issues relating to the provision of approved accommodations during an examination administered by the NBCC/CCE testing services provider at a test center (accommodation appeal).

NBCC/CCE will not accept an accommodation appeal concerning a testing accommodation that was not previously approved by NBCC/CCE or the relevant State licensure agency.

In order for an accommodation appeal to be considered by NBCC/CCE, the examinee must: (1) promptly report and identify the special examination accommodation issue to the test proctor or examination administrator at the test center immediately following the examination administration, and provide all relevant information requested by the proctor/administrator concerning the issue necessary to complete a Case Report; and, (2) submit a completed Examination Appeal Form on the NBCC/CCE website, consistent with Policy Section D.1, describing the accommodation issue affecting the examinee's performance

on the examination, and identifying the Case Report number provided by the proctor/administrator at the test center. The Examination Appeal Form must be submitted to NBCC/CCE within seven (7) calendar days of the test administration.

[NOTE: Special examination accommodation appeals concerning accommodations that were not expressly approved by the NBCC/CCE, or the relevant State licensing agency, will not be accepted or considered.]

2. Unacceptable Grounds For Examination Administration Or Examination Content Appeals. The following grounds cannot serve as the basis of an examination administration or content appeal, and NBCC/CCE will not accept such examination appeals:
- a. The examinee's lack of knowledge or understanding of the test administration policies or procedures. All examinees are required to read and understand the policies and procedures identified in the relevant Candidate Handbook prior to sitting for the examination.
 - b. The examinee's failure to follow examination administration instructions: provided by the test proctor or examination administrator related to the examination administration; or, included as part of the examination tutorial prior to initiating the test.
 - c. The examinee's mental state during the examination, including nervousness or anxiety.
 - d. Personal circumstances of the examinee that may have affected the examinee's completion of the examination, such as illness, injury, or family problem.
 - e. Examinee errors or omissions related to understanding examination items, or understanding or recording answers, except those caused by circumstances outside the examinee's control.
 - f. Computer-related problems that do not impact the administration of the examination, and that are resolved by the test proctor or examination administrator within thirty (30) minutes, including power outages, electrical surges, or other circumstances.
 - g. Reasonable and commonly occurring sounds and noises in the testing center or room. [NOTE: Noise-cancelling headphones and earplugs are provided at all testing services provider test centers].
 - h. Late arrival for the test administration appointment.
 - i. The validity of the content of the examination in general.
 - j. The passing score of the examination established by NBCC/CCE, or the process used to determine the passing score.

- k. The examinee believes that he/she should have achieved a passing score on the examination.
- l. Non-examination reasons, such as an examinee's education or academic achievements, work history and/or clinical experience, or the submission of personal reference(s) or letter(s) of support from a supervisor, colleague, or family member.
- m. Multiple, prior attempts to pass the examination.
- n. The examinee's performance on practice or sample examinations.

D. EXAMINATION APPEAL SUBMISSION REQUIREMENTS

1. Examination Appeal Submission Deadline And Content. All examination appeals must be submitted to NBCC/CCE by completing the Examination Appeal Form on the NBCC/CCE website, located at: <https://www.cce-global.org/assessmentsandexams/examappeals>, by or before the following appeal deadlines:
 - a. Examination administration and accommodation appeals authorized by Policy Sections C.1.a and C.1.c must be received by NBCC/CCE within seven (7) calendar days following the completion of the examination.
 - b. Examination content appeals authorized by Policy Section C.1.b must be received by NBCC/CCE within fourteen (14) calendar days following the completion of the examination.

Failure to submit an appeal by the required deadline will result in the rejection of the appeal. Appeal submission deadlines may be extended if reasonable and sufficient cause is presented to NBCC/CCE, in writing, at least forty-eight (48) hours prior to the appeal deadline identified above.

An examination appeal must include the following information in order for the appeal to be reviewed:

- a. The examinee's full name, as it appears on his/her examination registration confirmation form;
- b. NBCC/CCE Candidate Identification (I.D.) Number;
- c. Registration I.D. Number, as it appears on the Confirmation of Exam Registration;
- d. Test administration date and test center location (city and state);
- e. Case Report number, if applicable; and,

- f. A complete explanation of the basis of the appeal, including, but not limited to: all information and materials required by this Policy concerning the examinee's appeal; and, any information that the examinee believes will assist NBCC/CCE in reviewing and resolving the appeal.
2. Examination Submission Completion. Examination appeals, with all documentation supporting the appeal, must be submitted by completing an Examination Appeal Form, located on the NBCC/CCE website. NBCC/CCE will provide email confirmation to the examinee that the appeal was received.

E. EXAMINATION APPEAL REVIEWS AND DECISIONS

1. Administration and Accommodation Appeal Reviews and Decisions. All examination administration and accommodation appeals are reviewed by the Examination Appeals Specialist or his/her designee (Appeals Specialist). The Appeals Specialist will review the appeal in order to determine whether the information submitted by the examinee is accepted for review, and whether the examinee has satisfied the requirements identified in this Policy. If the Appeals Specialist determines that the appeal does not satisfy the Policy requirements or otherwise does not warrant further review, the Appeals Specialist will reject the appeal, and notify the examinee of the rejection, including the reasons supporting the rejection. Appeal rejection determinations are not subject to further appeal. If reasonable grounds exist, an appeal which is initially rejected for failure to satisfy the appeal submission requirements may be resubmitted in a format that satisfies the requirements of this Policy, so long as the prescribed appeal deadline has not passed.

Following receipt of an administration or accommodation appeal, the Appeals Specialist may, in his/her sole discretion: (a) request that the examinee provide additional information or documentation regarding any aspect of the appeal; (b) communicate with authorized test site personnel or test administration provider representatives to obtain additional information relevant to the appeal; and/or, (c) conduct any other investigative activities necessary to perform an appropriate review of the appeal.

Following acceptance of the appeal for review, the Appeals Specialist will make a recommendation to the Vice President of Credentialing and Quality Assurance (Vice President), who will issue a written appeal decision, including a statement of the reasons for the decision. Appeal decisions will be issued within sixty (60) days of acceptance of the appeal, or as soon thereafter as practical.

2. Content Appeal Reviews and Decisions. All examination content appeals are reviewed by the Appeals Specialist in order to determine whether the information submitted by the examinee is accepted for review, and whether the examinee has satisfied the appeal submission requirements identified in this Policy. If the Appeals Specialist determines that the appeal does not satisfy the Policy requirements, or otherwise does not warrant further review, the Appeals Specialist will reject the appeal, and notify the examinee of the rejection, including the reasons supporting the rejection. Appeal rejection determinations are not subject to further appeal. If reasonable grounds exist, an appeal which is initially rejected for failure to satisfy the appeal

submission requirements may be resubmitted in a format that satisfies the requirements of this Policy, so long as the prescribed appeal deadline has not passed.

Content appeals will be forwarded to the Vice President, who will determine whether the appeal relates to a specific examination item(s) or answer(s) (content-specific appeal), or involves a general, non-specific appeal (non-specific appeal) to the test content. All non-specific content appeals will be reviewed and resolved by the Vice President. All complete, content-specific appeals will be referred to the appropriate NBCC/CCE Examination Committee for review.

The Vice President or Examination Committee may, in their sole discretion: (a) request that the examinee provide additional information or documentation regarding any aspect of the appeal; and/or, (b) conduct any other investigative or research activities necessary to perform an appropriate review of the appeal.

Following acceptance of content-specific appeals for review, the Examination Committee will make a recommendation to the Vice President, who will issue a written appeal decision, including a statement of the reasons for the decision. Appeal decisions will be issued within sixty (60) days of acceptance of the appeal, or as soon thereafter as practical.

3. **Appeal Remedy Limitations.** The exclusive remedy for a successful appeal is one (1) free retake of the examination. NBCC cannot modify examination scores based on an appeal.

[NOTE: Examinees are required to wait ninety (90) days before retaking the examination.]

F. FINAL APPEALS TO NBCC/CCE CHIEF OPERATING OFFICER

1. **Final Appeal To Chief Operating Officer/ Appeal Submission Time Period.** In limited circumstances, an examinee may submit a final appeal of an adverse appeal decision to the NBCC/CCE Chief Operating Officer or his/her designee (Chief Operating Officer), within thirty (30) calendar days of the date of the decision issued by the Vice President. Final appeals not submitted within the thirty (30) day time period will be rejected and not considered.
2. **Acceptable Grounds For Appeal.** In order for an appeal to be accepted and considered by the Chief Operating Officer, the appeal must be based only on the following grounds:
 - a. **Misapplication Of NBCC/CCE Policy Or Procedure.** The Vice President misapplied an NBCC/CCE policy, and the proper application of the policy clearly supported an appeal decision in favor of the examinee;
 - b. **New Or Previously Undiscovered Information.** The examinee located relevant information that was not previously available, and such information clearly supported an appeal decision in favor of the examinee; or,
 - c. **Contrary To The Information Presented.** The appeal decision: is contrary to the most substantial and relevant information in the record; such error substantially prejudiced the examinee's appeal; and, such information clearly supported an appeal decision in favor of the examinee.

3. Contents Of Final Appeal. All final appeals must be submitted in writing, and must explain: the grounds for the appeal, consistent with this Policy section; and, the specific facts and NBCC/CCE policy terms supporting the appeal, including all relevant documentation.
4. Review Of Final Appeal/ Final Appeal Decision. The Chief Operating Officer will review the final appeal, and determine if the appeal is accepted for further review. The Chief Operating Officer may require the examinee to provide additional information concerning the appeal submission. If the Chief Operating Officer determines that an appeal does not meet the appeal requirements, or otherwise does not warrant further review, the appeal will be rejected. Following acceptance of the appeal for resolution, the Chief Operating Officer will issue a written final appeal decision, including a statement of the reasons for the decision. Appeal decisions usually will be issued within sixty (60) days of acceptance of the final appeal, or as soon thereafter as practical.

G. EXAMINATION APPEALS AND APPEAL DECISIONS

NBCC/CCE reserves the right to publish decisions made under this Policy, and to release such decisions to appropriate individuals, agencies, or organizations, as determined solely by NBCC/CCE.