



## Appeal Policy

**Date Approved:** April 20, 2005

**Date Effective:** April 20, 2005

**Date Revised:** December 10, 2019

**Date Reformatted:** August 18, 2022

### Scope

This policy applies to all candidates whose application for Administrative Reconsideration was denied.

### Principles

This policy has been developed in accordance with provincial fair access and registration legislation.

### Definitions

“Appeals Resource Group” is a pool of individuals appointed by the Evaluation Services Committee of the Canadian Alliance of Physiotherapy Regulators (CAPR) to provide membership to an Appeal Panel that reviews Appeals of Credentialing and Examination Administrative Reconsideration decisions.

“Appeal Panel” is the panel appointed from the Appeals Resource Group to review a particular appeal. The Chief Executive Officer of the CAPR facilitates this review but is not a member of an Appeal Panel. From time to time, an Appeal Panel may be augmented by external experts when further expertise is required.

“Administrative Issues” are examination day occurrences or omissions that deviate significantly from the Canadian Alliance of Physiotherapy Regulators’ (CAPR) examination administration standards or procedures.

“Extraordinary Circumstances” are situations outside of the control of the candidate which are not related to administrative issues on examination day or ill-health on examination day.

### Purpose

The purpose of this policy is to outline the Appeal standards and the process that may be initiated by candidates who are not satisfied with the outcome of their Administrative Reconsideration.

### Policy

1. Candidates whose Administrative Reconsideration was denied may submit a request for Appeal.
2. Appeal Panel hearings are held by video conference.
3. Candidates must submit requests in writing with supporting documentation.
4. Candidates may submit supporting documentation that was not submitted or available at the



time of the Administrative Reconsideration.

5. Candidates may submit a request to present to the Appeal Panel when submitting the Appeal request. The Appeal Panel will determine whether a presentation is warranted.
6. The Appeal Panel will determine whether the denial of the Administrative Reconsideration was reasonable given the available evidence.
7. An Appeal is the final level of review. The decision of the Appeal Panel is final and binding.
8. The Appeal Panel will not change an exam result from a fail to a pass as a result of an Appeal.

Potential Outcomes:

1. The Appeal is denied and the Administrative Reconsideration outcome (denied) is upheld.
2. The Appeal is granted and the Administrative Reconsideration outcome (denied) is overturned.

If the Appeal is granted and the Administrative Reconsideration outcome is overturned, the failed attempt will be removed from the candidate's examination history.

Additionally, if the Appeal is granted and the Administrative Reconsideration was overturned when the reason for Administrative Reconsideration was administrative issues, CAPR will:

- remove the failed attempt from the candidate's examination history;
- refund the Administrative Reconsideration fee;
- refund the Appeal fee;
- annul the charge for the exam fee for the next exam attempt.

### Procedure

Applications for Appeal, and related supporting documentation, must be submitted **within thirty (30) calendar days** of the date of the Administrative Reconsideration Outcome Letter.

Applications must be submitted via the [Client Portal](#); a step-by-step guide on how to submit an application is available at [Post-Exam Services](#).

Applications must include:

- the reason for Appeal and the details necessary for adjudication.
- supporting documentation and any additional information the candidate deems relevant to the Appeal.

If a candidate requests an opportunity to make an oral presentation to the Appeal Panel, the request must be submitted at the time of the application for Appeal and outline why the presentation is necessary. An oral presentation would be made to the Appeal Panel at the time of the Appeal Panel meeting.

Information about performance on undergraduate placements, letters of reference, and financial status will not be considered as part of the Appeal process.



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Upon receipt of the application and associated fee, CAPR will schedule an Appeal Panel meeting. An Appeal Panel will review the original documents, the Administrative Reconsideration decision, supporting documents, and any additional information provided by the candidate and/or CAPR staff.

An Appeal report documenting the outcome and including the Appeal Panel's decision and rationale will be issued to the candidate by the Chief Executive Officer.