Australian Sonographer Accreditation Registry (ASAR)
Policy & Procedure 7 - Lodging an Appeal Against a Course Accreditation Decision

1. Preamble

ASAR's objective is to promote high standards of medical sonography in Australia which includes setting uniform, minimum standards of Sonographer education by assessing and accrediting courses in all disciplines of sonography.

For the purposes of appealing a Course accreditation decision of the ASAR Board of Directors, the rules set out in ***Section 12 of the ASAR Constitution: Appeals against removal from the Registry*** shall apply in conjunction with the requirements set out in this policy document.

2. Policy Principles

The purpose of this Policy is to ensure that the course accreditation decisions made by the ASAR Board of Directors meet the principles of procedural fairness and that any appeals against an ASAR Board of Director's decision are brought to a satisfactory resolution in a timely manner.

3. Accreditation Principles

The accreditation principles underpinning the approach to accreditation are:

Legitimacy
The accreditation procedure must be legitimate and acceptable to stakeholders. Such legitimacy includes impartiality in relation to particular stakeholder groups; and appropriate respect for the academic autonomy of course providers. The accreditation procedure must also be consistent with current legislation and guidelines.

Validity
The accreditation procedure must be valid in that the procedures are appropriate for assessing the accreditation criteria. These criteria must be evidence-based and explicitly related to the necessary graduate competency outcomes and other specified requirements of accreditation

Efficiency
The accreditation procedure must cover what is necessary and sufficient and not be unnecessarily burdensome for course providers, Course Assessment Committee members or other participants.

Accountability & Transparency
The accreditation procedure and its outcomes should also be transparent to stakeholders and the public as long as appropriate confidentiality and protection of privacy is maintained.

Procedural fairness
The accreditation Procedure must meet the principles of procedural fairness.

Quality and improvement
The accreditation procedures and criteria should facilitate the development of programs of the highest academic and professional quality and facilitate the continuous improvement of programs over the period for which they are accredited.

Ongoing cycle of review
The accreditation procedures must undergo an ongoing cycle of review to maintain consistency with these principles and for ongoing improvement.

4. Scope

This policy applies to applicants who have had accreditation withheld, withdrawn or where accreditation has been granted with conditions.

This policy applies to:
1. ASAR Board of Directors
2. Course providers/owners that have applied for ASAR course accreditation
3. Appeal Panel Members
4. ASAR Secretariat

5. Definitions

Accreditation
For the purpose of this policy accreditation means that an ultrasound course has been assessed by ASAR as complying with the ASAR Standards for the Accreditation of Sonographer Courses (SASC).

Accreditation Framework
The Accreditation Framework establishes the policies, procedures and standards within which sonography courses are granted accreditation for a specified time, having met transparent and defined requirements. The accreditation framework includes:
a. the Course Accreditation Application Pack,

b. supporting policies, procedures, and
c. Standards for the Accreditation of Sonographer Courses.

Appeal Panel
A group of three appropriately qualified individuals, that considers appeals against an ASAR Board of Directors accreditation decision (resolution).

Appeal Panel Member
An individual, selected by ASAR who has knowledge of Sonography and/or of the relevant specialist discipline, is familiar with accreditation procedures, has a working knowledge of the SASC as well as the type of course applying for accreditation, and has no relationship past or present with the course or the accreditation procedure leading to the decision being appealed.

Australian Sonographers Association
The Australian Sonographers Association (ASA) is the peak body and leading voice for sonographers in Australia. The ASA guides the advancement of the sonography profession to ensure the community has access to quality sonographic services.

Australian Sonographer Accreditation Registry (ASAR)
ASAR accredits ultrasound courses offered by various providers and establishes the criteria against which all courses are to be assessed. ASAR also maintains a register of accredited medical and student sonographers, with the continuing professional development (CPD) activities of accredited medical sonographers recorded and monitored.

ASAR Constitution
The ASAR Constitution sets out the rules governing the conduct of the organisation.

ASAR Board of Directors
The ASAR Board of Directors is the body appointed by the members of the company to take responsibility for achieving ASAR's objects

The number and nature of Directors is defined in section V of the ASAR Constitution.

Basis of Appeal
In order to have a basis for appeal the course accreditation applicant must demonstrate that the accreditation procedure did not follow proper procedure

or that the decision of the Board regarding the accreditation outcome was manifestly wrong.

Conditional Accreditation
The ASAR Board of Directors may place a condition on the accreditation of a course, such as the requirement for further monitoring of the course.

Course
A course is the full program of study and experiences required to be undertaken before a qualification recognised under the AQF, and approved by a regulatory authority, can be conferred. Some organisations will also use the term 'program' to refer to a course.

Course Owner
The course owner is the legal entity that is the proponent or applicant for the course for the purpose of establishing a nationally recognised course in the Higher Education Sector.

Course Provider
The course provider is the organisation that issues the testamur for a nationally recognised course and is responsible for learning and assessment including those situations where the course provider enters into contracting or auspicing agreements for the course delivery and assessment.

The course owner and provider may be one organisation.

Evidence
ASAR seeks evidence of an applicant's compliance with the eight SASC. This evidence must be provided in two parts.

a. Part One - an overview of the course.
b. Part Two - evidence against each of the SASC

The applicant must address all standards and criteria in their application.

Notice of Appeal
A written notice from the course accreditation applicant requesting an appeal against an accreditation outcome (resolution) decision of the ASAR Board of Directors.

Proper Notice
All correspondence, notices, and other materials exchanged between the participants of an appeal shall be by Certified Mail-Return Receipt Requested or

by next day delivery, or in the case of electronic correspondence the time and date stamp on the email will be the evidence of when the correspondence was sent and received.

Reaccreditation
For the purpose of this policy reaccreditation is the procedure of renewing accreditation of a course in light of any changes that may have taken place within the industry, course content or course delivery. For this reason, an application for re-accreditation requires the same rigor as an application for accreditation.

Continuing Accreditation is granted to a course when it is re-evaluated at specified intervals.

Resolution
The accreditation outcome decision made by the ASAR Board of Directors in relation to a Course accreditation application.

Statement of Appeal
The substance of the appeal. A statement by the course accreditation applicant that supports their position that the accreditation procedures were not followed or the ASAR Board of Directors erred in the accreditation outcome decision (resolution).

Standards for the Accreditation of Sonographer Courses
The Standards for the Accreditation of Sonographer Courses provide specific criteria for measuring whether a course fulfils the defined requirements. The standards are used to assess every application for accreditation. To be successful an application is required to satisfactorily address all criteria for all eight standards.

Withhold Accreditation
Withhold Accreditation is an action taken when a course seeking initial accreditation is not in compliance with the SASC.

Withdrawal of Accreditation
Withdrawal of Accreditation is an action taken when a course is no longer in compliance with the SASC.

6. Appeals

For the purposes of appealing a Course accreditation decision of the ASAR Board of Directors, the rules set out in ***Section 12 of the ASAR Constitution: Appeals against removal from the Registry*** shall apply in conjunction with the requirements set out in this policy document.

6.1. Notice of the accreditation outcome decision (resolution)

The ASAR secretariat will inform applicants of the course accreditation outcome decision (resolution) of the ASAR Board of Directors in writing.

1) setting out the resolution and the grounds upon which it was based; and
2) stating that the applicant has 30 calendar days from the date of the notice to give written submissions to the Board in response to the resolution.

6.2. Written submissions

The course accreditation applicant may provide written submissions to the ASAR Board of Directors in response to the resolution within 30 calendar days of receiving notice of the resolution.

6.3. No Written submission

If the course accreditation applicant does not provide a submission in writing within the time specified in 6.1 in response to the resolution, then the ASAR Board of Directors will proceed with the resolution.

6.4. Consideration of Written Submissions

If the course accreditation applicant gives written submissions in response to the resolution, then the ASAR Board of Directors will consider those submissions at its next scheduled meeting.

6.5. Notice of ASAR Board of Directors' decision on written submission

After reviewing the written submission following the resolution from the course accreditation applicant, if the ASAR Board of Directors modifies the resolution, then the applicant will be informed in writing.

6.6. ASAR Board of Directors of Directors decision to proceed with Resolution

After reviewing the written submission following the resolution from the course accreditation applicant, if the ASAR Board of Directors intends to proceed with the resolution, then the ASAR Secretariat will inform the applicant in writing. The applicant will have 21 calendar days from the date of the notice to proceed with the resolution to advise ASAR in writing that they will appeal the decision.

6.7. No notice of Appeal

If the course accreditation applicant does not give notice of appeal in accordance with the time specified in 6.6 then the Board will proceed with the resolution.

6.8. Appeal against resolution

6.8.1. Information required from the course accreditation applicant

The course accreditation applicant must demonstrate that the accreditation procedure did not follow proper procedure or that the decision of the Board regarding the accreditation outcome (resolution) was manifestly wrong.

6.8.2. Fees

The appeal must be accompanied by such fees as may be prescribed by the Registry.

7. Panel

7.1. Appeal Panel

Within 45 calendar days of ASAR receiving written notice that the course accreditation applicant will appeal the resolution, the names of at least four individuals who meet the requirements of an Appeals Panel member are to be sent to the appellant using ASAR Template 7.1 – Letter notifying Appellant of potential Appeal Panel Members

Within 10 calendar days of receipt of the list, the appellant is to confirm their choice of three of the individuals listed who will become the members of the Appeal Panel in writing. In the event the appellant does not respond by the deadline or fails to designate three individuals, the General Manager of ASAR will appoint the members of the Appeal Panel. The General Manager shall designate one of the Panel members to be the Chairperson.

8. Conduct of the Appeal

8.1. Documentation

Within 10 calendar days after constituting the Appeal Panel, each Panel member is to be provided with:

a. the complete course accreditation documentation that existed at the time of the ASAR Accreditation Committee's recommendation to the ASAR Board of Directors,
b. the Accreditation Committee recommendation to the ASAR Board of Directors
c. The resolution of the ASAR Board of Directors
d. the Statement of Appeal submitted by the applicant, and
e. all correspondence between ASAR and the course provider.

A list of all materials comprising the complete record shall be provided to the appellant using ASAR Template 7.2 – Notifying Appellant of the documentation provided to Appeal Panel Members and the Date, Time, and Location of the Hearing

8.2. Timeframe

Within 21 calendar days after constituting the Appeal Panel, a hearing is to be scheduled to be conducted as soon as feasible, preferably within 45 calendar days after the Panel is constituted. Once scheduled, notice of the date, time, and location of the Panel hearing is to be sent to the Appellant and members of the Panel using ASAR Template 7.3 – Notifying Appeal Panel Members of the documentation provided to Appeal Panel Members and the Date, Time, and Location of the Hearing

8.3. Expenses

Expenses incurred by the appellant as a consequence of the appeal shall be borne by the appellant.

Expenses incurred by ASAR in the selection of the Panel, the arrangements for the hearing, and other expenses of the Panel shall be borne by ASAR.

8.4. Representation

At the appeal hearing, the appellant:

a. may appear before the panel represented by a person, who may or may not be legally qualified, and
b. may make verbal or written submissions as he or she thinks fit.

The Panel may request that the appellant submit additional written materials to support any verbal argument within 14 calendar days of the hearing.

At any time prior to the hearing date, the appellant may inform ASAR in writing that they waive the right to appear and chooses to have the appeal decided on the written submission only.

9. Status of the Course

The accreditation status of a course undergoing accreditation will not change until the accreditation procedure, including any appeal, has concluded.

10. Appeal Decision

Within 21 calendar days of the adjournment of the Hearing or the receipt of additional written materials from the appellant (whichever is later), the Panel will submit its written report to the ASAR Board of Directors. The panel must address each point raised by the appellant in its Statement of Appeal and shall recommend to the ASAR Board of Directors that the appeal be upheld or dismissed.

The decision of the Appeal Panel will be final and binding on both the ASAR Board of Directors and the appellant.

The Appellant is to be notified of the decision using ASAR Template 7.4 – Letter notifying Appellant of the decision of the Appeal Panel. If the appeal is upheld, the appeal application fee lodged with the notice of appeal will be refunded to the appellant.

11. Appeal Procedures Summary

Trigger	Timeframe	Appellant Action	ASAR Action	Responsibility
ASAR Board of Directors does not accredit a course or awards Conditional Accreditation	Applicant advised of the outcome within 3 months of the presentation day, or within 3 months of the receipt of further evidence		Accreditation decision/ resolution conveyed to the course accreditation applicant	ASAR Secretariat
			Provide details of the appeals procedure	ASAR Secretariat

	Within 30 calendar days from the date of the notice of resolution	Lodge Written Submission in response to the resolution	Acknowledge receipt of written submission	ASAR Secretariat
	Next meeting of the ASAR Board of Directors		ASAR Board of Directors considers written submission	ASAR Board of Directors ASAR Secretariat
			Board advises if it intends to proceed with the resolution/ decision	ASAR Board of Directors
If ASAR Board of Directors intends to proceed with the resolution/ decision	Within 21 calendar days from the date of the notice	Lodge notice of appeal		
		Appeal lodged	Acknowledge receipt of appeal	ASAR Secretariat
	Within 45 calendar days of receipt of the Notice of Appeal		Send names of at least four individuals selected for the Appeal Panel to the applicant	ASAR Secretariat
	Within 10 calendar days of receipt of the list	Choose 3 Appeal Panel members from the list		Appellant
No selection made	After 10 calendar days of receipt of the list		Choose 3 the Tribunal Panel members	ASAR General Manager

			Designate Chairperson	General Manager
Appeal Panel appointed	Within 10 calendar days of appointing the Appeal Panel		Provide all documentation to Panel Members	ASAR Secretariat
Appeal hearing scheduled	Within 21 calendar days of appointing the Appeal Panel		Hearing is to be scheduled	ASAR Secretariat
Appeal hearing held	Within 45 calendar days of appointing the Appeal Panel		Notice of the date, time, and location to be sent to the members of the Panel and the appellant	ASAR Secretariat
	Any time prior to the appeal hearing date	Appellant waives the right to appear. Chooses to have the appeal decided on the written submission only		Appellant
Appeal Hearing conducted		Appellant makes written and/or verbal submission		Panel Appellant
Additional written materials to support its verbal argument	Within 14 calendar days of the adjournment of the Hearing	Submit additional written materials to support its verbal argument		Appellant

Appeal Panel makes a decision	Within 21 calendar days of the adjournment of the Hearing or the receipt of additional written materials (whichever is later)		Decision of the Appeal Panel communicated to the ASAR Board of Directors and the appellant	ASAR Secretariat
Appeal upheld			Fee reimbursed	ASAR Secretariat
	Immediately		Board determines accreditation status of course	ASAR Board of Directors
Appeal dismissed	Immediately		Board determines accreditation status of course	ASAR Board of Directors

12. Tools & Templates

12.1 Templates

The following templates are to be used when conducting an appeal against and accreditation decision

- ASAR Template 7.1 - Letter notifying Appellant of potential Appeal Panel Members
- ASAR Template 7.2 – Letter notifying Appellant of the documentation provided to Appeal Panel Members and the Date, Time, and Location of the Hearing
- ASAR Template 7.3 – Letter notifying Appeal Panel Members of the Date, Time, and Location of the Hearing
- ASAR Template 7.4 – Letter notifying Appellant of the decision of the Appeal Panel

13. Supporting Documentation

Appellants are advised that this Policy must be read in conjunction with:

- ASAR Course Accreditation Application Pack
- The Standards for the Accreditation of Sonographer Courses available from the ASAR website; and
- The ASA Competency Standards for the Entry Level Sonographer available from the ASA website.

14. Related Policies and Procedures

The other ASAR Policies and Procedures which relate to this document are

- ASAR P&P 5 - Assessing an Application for Sonography Course Accreditation
- ASAR P&P 6 - Reporting Accreditation Decisions

15. Complaints

Any complaints regarding this policy should go through the ASAR complaints procedures.

Version	Authorisation	Approval Date	Effective Date
V2-01	Michelle Pedretti, Chair, ASAR Board	03/12/2012	03/12/2012
V2-02	Michelle Pedretti, Chair, ASAR Board	01/05/2015	05/01/2015
V2-03	Christopher Edwards, Chair, ASAR Board	01/05/2019	01/05/2019