

Appealing a Data Demographic Collection Tool® (DDCT) Exclusion Decision

POLICY: Certifying bodies seeking inclusion of their credential in the Magnet Demographic Data Collection Tool™ (DDCT) will have an opportunity to appeal exclusion decisions.

- I. Scope.
 - A. Appealable decisions.
 1. Denial of request for inclusion
 2. Removal from inclusion list
 - B. Non-appealable issues. The following may not be appealed and may not serve as the basis for appeal:
 1. Inclusion criteria
- II. Appeal Process.
 - A. Timing. Certifying bodies wishing to appeal an adverse inclusion decision as set forth in Section I must submit a written Appeal within ten (10) business days of the date of the adverse decision. Failure to timely appeal will result in automatic dismissal of the Appeal. For the purpose of this policy, a “Certifying Body” is any organization claiming to offer a “certification” that it seeks to have included on the DDCT.
 - B. Content of Appeal. Appealing Certifying Bodies must send a written Appeal to the attention of the Director, ANCC Magnet Recognition Program (Director).
 1. Contents. The Appeal must contain the following information:
 - a. The name, title, and contact information of the person who will serve as the Certifying Body’s contact for the Appeal;
 - b. The basis for the Appeal;
 - c. Facts and documentation supporting the Appeal; and
 - d. Signature of the Certifying Body’s point of contact for the Appeal.
 - e. The Appeal and supporting documentation may not contain new evidence. New evidence will not be considered by the Appeal Committee.
 - Evidence that was not submitted during the application process will be considered new evidence and will not be considered by the Appeal Committee.
 - f. The Appeal and supporting documentation may not be supported by information regarding another organization in the same or a different system. Information about other Certifying Bodies will not be considered by the Appeal Committee.
 2. Effective Date. The Appeal is effective upon receipt by the Director of the Magnet Recognition Program.
 3. Delivery. The Appeal and all supporting documentation must be delivered by email to the Director of the Magnet Recognition Program.
 - C. Referral to the Appeal Committee
 1. Within a reasonable time after receiving the Appeal, the Magnet Program Director or Director’s designee will forward the matter to the Appeal Committee, which shall serve as the appeal review body.

2. The Appeal Committee will be comprised of:
 - a. The Director or Assistant Director of the Magnet Recognition Program;
 - b. Another ANCC assistant director or director or higher, excluding Certification directors;
 - c. Another ANCC director or higher or other individual selected by the Magnet Director with sufficient subject matter expertise to evaluate DDCT applications.
 3. Conflicts.
 - a. Disclosure. Members of the Appeal Committee who have an actual or potential conflict of interest shall disclose such conflict to the Magnet Program Director prior to considering the appeal. If the Director determines that there is a conflict, the conflicted member will be recused from the appeal proceedings. Members of the Appeal Committee shall also disclose any attempts by the appealing organization to communicate with the Committee member during the appeal process.
 5. The Magnet Program Director or Director's designee will forward the Appeal and supporting documentation submitted by the appealing organization, along with any other relevant information in the possession of the Magnet Program (Other Relevant Information) (together, Appeal Information), to the Appeal Committee.
- D. Review of Appeal
1. To facilitate its review of the appeal, the Appeal Committee may request clarifying information from the appealing organization or from one or more members of the team that reviewed and decided the request for inclusion. The Appeal Committee may also seek guidance from legal counsel.
 2. Appealing organization's participation. The appealing organization is not entitled to participate in the review of appeal.
 3. No hearing. There will be no appeal hearing.
- E. Deliberations, Voting, and Disposition
1. Deliberations. Deliberations will take place during the meeting at which the Appeal Committee reviews the appeal.
 2. Voting. Votes will be cast verbally and the outcome of the vote will be recorded in the minutes.
 3. Disposition. The Appeal Committee shall decide, by a majority vote, whether to uphold or reverse the initial inclusion decision. For the decision to be reversed, the Appeal Committee must find that the certification program meets each inclusion criterion.
 - a. Reversed. If the Appeal Committee reverses the initial decision, the certification that is the subject of the appeal will remain on the list or will be added to the DDCT when it is next updated.
 - b. Upheld. If the Appeal Committee upholds the initial decision, the certification will not be included in the DDCT.
 4. Notification. The appealing organization will be notified of the outcome of the appeal in writing via letter signed by the Magnet Program Director and sent using certified mail. The inclusion review team will be notified by any means deemed appropriate by the Magnet Program Director or Director's Designee.
 5. Finality of Decision. The decision of the Appeal Committee is final.