



Handbook of the Bureau of Osteopathic Education (BOE)

American Osteopathic Association
Department of Education
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1. Introduction

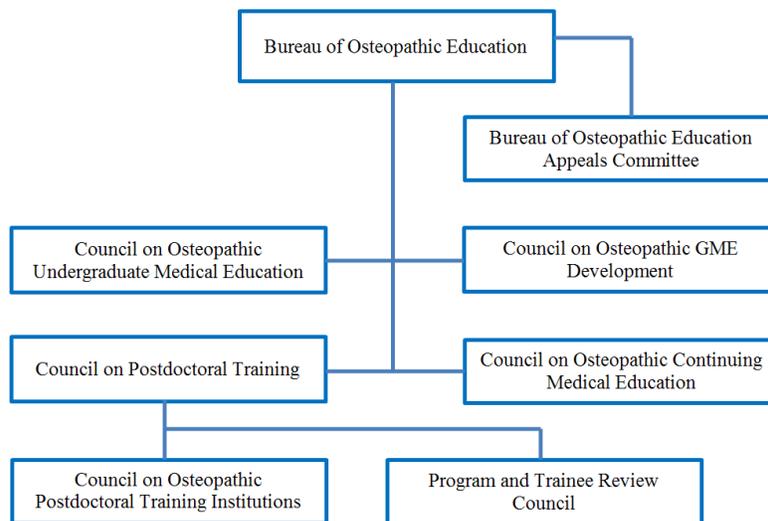
The *Handbook of the Bureau of Osteopathic Education* is a procedural guide established for the use of the Bureau of Osteopathic Education (Bureau) and other officers of the American Osteopathic Association (AOA). This is an official document adopted by action of the AOA Board of Trustees, and may be amended from time to time. The *Handbook* includes a description of the Bureau's purpose, function, structure, and operating procedures.

2. Statement of Purpose

A. Charge

The Bureau studies the full continuum of osteopathic medical education (predoctoral, postdoctoral, and continuing medical education) and makes recommendations to the AOA Board of Trustees as to how to improve the educational system and the process through which the AOA oversees and approves or accredits educational programs. Recommendations to the AOA Board of Trustees are based on the Bureau's own proposals as well as from reviews of the policies proposed by:

- The Council on Osteopathic Undergraduate Medical Education (COUME);
- The Council on Osteopathic GME Development (COGMED);
- The Council on Osteopathic Postdoctoral Training (COPT) and its subordinated committees: the Program and Trainee Review Council (PTRC) and the Council on Osteopathic Postdoctoral Training Institutions (COPTI); and
- The Council on Osteopathic Continuing Medical Education (COCME), and



The Bureau also receives informational reports on medical education issues from the Bureau on International Osteopathic Medicine, the Bureau of Osteopathic Specialists, the National Association of Osteopathic Foundations, and the American Association of Colleges of Osteopathic Medicine.

The Bureau is a representative body of the osteopathic profession. It receives reports from educational councils and committees of the AOA. The Bureau acts to assure the AOA Board of

Trustees, the osteopathic medical community and the public that the actions of the COPT, COPTI, PTRC and COCME are within the framework of the *AOA Basic Documents for Postdoctoral Training* and the *Accreditation Requirements for Category 1 CME Sponsors*. The Bureau also receives recommendations from the COUME for advocating best standards in undergraduate medical education.

B. Responsibilities

1. To serve as a reviewing body of existing policy documents, or of proposed policy changes submitted by COUME, COGMED, COPT or COCME. In this capacity, the Bureau makes recommendations to the AOA Board of Trustees for final action.
2. Through the Bureau Appeals Committee, to serve as an appellate body in hearing appeals from any individual or organization seeking relief from prior actions of COCME, COPT, PTRC, or COPTI (See Appendix).
3. To assure the AOA Board of Trustees and the appellants that the various committees have acted in accordance with the *Basic Documents for Postdoctoral Training* and the *Accreditation Requirements for Category 1 CME Sponsors*.

3. Structure

A. List of Members

The Bureau has sixteen (16) voting members and six non-voting ex-officio members:

- 2-Specialty Affiliate Representatives
- 2-Members-at-large
- 1-Representative of the Society of Osteopathic Specialty Executives
- 2-Members with expertise in osteopathic postdoctoral education
- 1-Representative of American Association of Colleges of Osteopathic Medicine
- 1-Representative from the Bureau of Osteopathic Specialists
- 1- Osteopathic physician in residency
- 2-Osteopathic CME representatives with at least three years of osteopathic CME experience on the Council on Osteopathic CME or a Category 1 CME Sponsor planning committee member
- 2-Members with expertise in predoctoral education
- 1-Member of the Association of Osteopathic State Executive Directors (representing divisional affiliates)
- 1-Public Member

- 1-NAOF Observer (self-funded)
- 6-Ex-officio Members (Chairs of BIOM, COGMED, COCME, COPT, COPTI, and PTRC - each with a one (1) year term)

B. Appointment of Bureau Membership and Terms of Office

1. Each year, the AOA President-elect will appoint a 3-person nominating committee consisting of A.) two members who have held the position of AOA President and who have no current affiliation with any college of osteopathic medicine, and B.) one member to be selected by a process established by the President and the Chair of the Board of Deans of the American Association of Colleges of Osteopathic Medicine. No member of the nominating committee may be serving on an education bureau, council, or commission.
2. The Education Nomination Committee will receive all applications/nominations for the open positions on the following: COPTI, COPT, BOE, and PTRC. The nominating committee will recommend to the President-elect three individuals for every open position.
3. The President-elect will select and appoint one of these 3 individuals to each open position or request additional nominees from the nominating committee. The appointments of the President-elect are subject to the approval of the AOA Board of Trustees.
4. Appointment of representative and at-large members to the Bureau will be staggered and limited to no more than three consecutive three-year terms for nine years cumulative. Membership and chairperson appointments would be limited to a maximum of nine (9) years and six (6) years, respectively, on any one bureau, council or committee.
5. Chair:
 - a. Appointed by the AOA President from the membership of the Bureau for a two (2) year term of office.
 - b. Any member of the Bureau is eligible to be appointed to the position of Chair.
6. Vice-Chair:
 - a. Appointed by the AOA President from the membership of the Bureau for a two (2) year term of office.
 - b. Any member of the Bureau is eligible to be appointed to the position of Vice-Chair.
7. Secretary:
 - a. Staff member selected by the AOA Chief Executive Officer.
 - b. Responsible for both the recording and corresponding secretarial activities of the Bureau.
 - c. The administrator for the Bureau.
 - d. Shall maintain technical expertise in the areas of responsibility of the Bureau and make the Bureau aware of trends in these areas.

The Secretary position is without vote.

Bureau of Osteopathic Education Appeal Committee

1. The Bureau Appeal Committee will be composed of three (3) regular members and three (3) alternate members elected by the membership of the Bureau at the beginning of each annual term. One member of the Bureau Appeal Committee will be a CME expert with at least three years experience from previous membership on the COCME or participation on a CME sponsor planning committee and one member of the Bureau Appeals Committee shall have experience in graduate medical education.
2. Any representative who holds an appointment to the COCME, COPT, COPTI or PTRC is not eligible to serve on the Bureau Appeal Committee.

4. Procedures of the Bureau of Osteopathic Education

A. General

1. The Bureau operates on *Robert's Rules of Order*, newly revised.
2. A simple majority of members will constitute a quorum sufficient for conduct of all business.
3. The constituent councils of the Bureau operate within procedures approved by the Bureau and the AOA Board of Trustees, as appropriate. Each council shall develop and maintain a procedural and policy handbook pertaining to their area of responsibility. Copies of these handbooks are available to each member of the Bureau.
4. With respect to the areas for which the Bureau retains final decision authority, the Bureau may approve, deny, defer action or remand an item back to the originating council.
5. With respect to the areas for which the Bureau makes recommendations to the AOA Board of Trustees, the Bureau's recommendation may be to approve, deny or defer action, or, remand an item back to the originating council. The Bureau forwards items recommended for approval to the AOA Board of Trustees for their review and final action.
6. The Chair or Vice-Chair of a council will present that group's report to the Bureau, including resolutions requiring action.
7. The Bureau will conduct appropriate orientation activities for its members.
8. The Bureau shall be responsible for the expenses incurred by attendance of such persons invited at the specific request of the chair or secretary.
10. The Bureau shall not be responsible for expenses incurred by persons appearing before the Bureau at the request of, or in the interest of, other organizations or individuals.
11. The Secretary to the AOA Bureau shall attend all meetings, including Executive Sessions.
12. Resolutions to the Bureau will not be considered if not posted for public comment at least 10 business days before the Bureau meeting.

B. Osteopathic Medical Education

The Bureau will address predoctoral and postdoctoral issues such as workforce, quality, recruitment, governmental initiatives, and other external forces impacting medical education. The Bureau will provide an opportunity for education leaders to meet and conduct high level discussions on education issues leading to recommendations to advance osteopathic medical education. The Bureau will also develop policy to strengthen the continuum between predoctoral and postdoctoral education and review recommendations on current or proposed standards, policies, and procedures pertaining to osteopathic medical education. The AOA Board of Trustees will provide final action on recommendations submitted by the Bureau.

C. Continuing Medical Education

The Bureau will review recommendations from COCME on current or proposed standards, policies and procedures, and recommend action to the AOA Board of Trustees. The AOA Board of Trustees will act on recommendations from the Bureau.

D. Appeal Procedures

Appeals of actions by the COPT, PTRC, the COPTI and the COCME will be heard by the Bureau Appeal Committee through procedures approved by the AOA Board of Trustees (See Appendix).

If new, directly germane information is presented prior to the commencement of a Bureau appeal that information will be provided to the council whose decision is being appealed, or to its appropriate appeal or review committee.

In the event the council does not have its own Appeal Committee and the Bureau is the first level of appeal, new materials submitted may result in the matter being remanded to the originating council or committee for further deliberations.

This subsequent deliberation may result in reconsideration of a recommendation by the originating council.

When the Board of Trustees and/or Bureau appeal actions vary from original recommendation, the reasons for the variance shall be stated and communicated accordingly.

E. Advisors

1. The AOA President, President-Elect, Chief Executive Officer, Chair and/or Vice Chair of the Department of Educational Affairs may meet with the Bureau as non-voting advisors on policies and procedures of the AOA as applicable.

Other non-voting advisors may be appointed by the AOA President.

2. Non-voting advisors do not participate in the vote on business matters or participate in executive sessions of the Bureau. With this circumstance, advisors shall recuse themselves from the proceedings during the period that such actions or votes are under consideration by the Bureau.

F. Observers

1. By precedence, all meetings of the Bureau are open to the public.
2. Observers include, but are not limited to, AOA staff, representatives of accrediting regulatory bodies, osteopathic foundations, practice and non-practice affiliated organizations. The presence of observers shall be acknowledged by the chair, and recorded in the Bureau minutes.

G. Conflict Of Interest Policy

The following is an adaptation of a Conflict of Interest policy adopted by the AOA Board of Trustees in October 1997 for the then Bureau of Osteopathic Education.

Conflict of Interest Policy

This policy statement governs matters of conflicts of interest and appearances of impropriety as they may occur in the respective evaluations, deliberations, recommendations, and actions of the Bureau of Osteopathic Education (BOE) and its subordinated Councils. These policies are applicable to members of the AOA Board of Trustees, the Bureau and its subordinated councils, and also to AOA staff, appeals panels and evaluation teams, and to consultants.

It is intended that these policies establish a mechanism whereby all individuals make known situations of clear conflict and also those that may give rise to the appearance of impropriety. The goal is to make sure that discussions, and actions are participated in only by those who have no conflict and, to the extent possible, that such discussions and actions avoid the appearance of conflicts.

It is stated that elected officers and trustees of the AOA cannot serve on the Bureau and its Councils. However, there is the further question of whether such individuals should be free to participate in discussions of matters such as accreditation. The chair of the Bureau will be able to direct an AOA Board of Trustees member to exclude himself/herself from those specific discussions in which a conflict may exist. If there is any question of undue influence arising from anything but purely disinterested motives, then discussion should simply be limited to members of the respective bodies.

There should be no reluctance to employ executive session whenever a chair feels that discussion may involve sensitive matters. Executive sessions of the AOA Bureau shall be limited to voting members of the AOA Bureau, the AOA Chief Executive Officer, the Secretary to the Bureau, and by invitation, to those participants deemed appropriate to the discussion.

Individuals asked to serve on the Bureau and its councils and other bodies will honestly examine their individual circumstances and determine whether they can render fair and unbiased service in general. Before the body sits down to serve, all of the members must have gone through this self-examination. This is also true for staff and team and panel members. Full disclosure of any doubtful situation to the other members of the body must be made. This is particularly true of situations where the individual may honestly feel that he or she can be fair, but the situation gives rise to, or may give rise to, an appearance of impropriety.

The decision to withdraw from discussions and/or not to vote should initially come from the individual, but the final decision must come from the chair or the majority of the other members. If the chair rules, such ruling; should be subject to a call for a vote by other members. The chair may feel that he or she should not substitute his or her judgment for that of a majority and may want to call for a vote at the outset. It may be that one member may bring to the attention of the body a possible conflict situation involving another member. Needless to say, this can give rise to a certain amount of acrimony in some cases. Consequently, each member should keep in mind that he or she should disclose his or her own possible conflict, so as not to put that sort of burden on a fellow member. It may be that the very presence of a member with a conflict would inhibit the discussions and actions of a body, so it is not unwarranted to ask a member to absent him or herself from the deliberations in some circumstances. In some cases it may not be clear as to what particular body should be informed and make rulings. In case of doubt, matters should be brought to the Bureau.

It is often difficult to define matters involving conflicts. Clearly, a financial interest creates a conflict. However, some financial interests are indirect and it is here that a member must search his or her conscience, because such interest may not appear to the others. Anyone serving on a board or committee brings to the body the sum total of his or her experience and personal opinions. The key question is whether a particular opinion or belief can stand in the way of rendering a fair and unbiased discussion or decision based on the facts and the rules. This may be a highly subjective determination and it underscores that individuals should be required to make disclosure to the other members whenever there is a question.

In the accreditation area, examples of situations, which may or may not create conflicts, are:

- (A) being an alumnus or alumna of an OPTI under consideration;
- (B) being an employee or board member of the OPTI (this would most likely create a conflict);
- (C) being involved with a competitor of the OPTI (competition is often difficult to ascertain -- there is a question of direct or remote competition); and
- (D) having a family or business relationship with others affiliated with the OPTI under consideration.

This is not an inclusive list, but is intended to give some guidance.

It should be kept in mind that the integrity of the respective body is always at risk, so that each member should be constantly aware of creating an appearance of improper conduct even where there may not be such in fact. Connections with affected individuals and institutions cannot always be avoided. Such connections often bring a measure of experience and expertise to the process. However, when such connections exist, it is prudent to err on the side of greater caution and make full disclosure.

H. Document Posting

Pursuant to AOA Board of Trustees policy, all documents which the Bureau submits to the AOA Board of Trustees for final approval will be updated and posted on the AOA Website within ninety (90) days of Board of Trustees final action.

Appendix A: Appeal Procedures and the Appeal Process

I. Introduction

The Bureau maintains an appeal process for review of actions of the COPT and its subordinated councils, and the COCME.¹ The appeal process is supervised by a standing Appeal Committee that is appointed each year pursuant to the procedures set forth below. Except as otherwise provided in this document, the Bureau Appeal Committee shall be the first level for appeal from actions of the COPT, and its subordinated councils and the COCME. Decisions of the Bureau Appeal Committee may be appealed to the AOA Board of Trustees.

II. Meetings of the Appeal Committee

The Appeal Committee may hold meetings in conjunction with regularly scheduled Bureau meetings. Additionally, where appropriate, the Appeal Committee Chair may call special meetings of the Committee with seven (7) days prior written notice of the time and date of such meetings to all Committee members. All program, OPTI and Specialty College appeal requests must occur within 60 days of appeal submission. Special meetings may take place telephonically or by other means of electronic communications. However, no meeting of the Appeal Committee may convene without three (3) members or alternate members present.

III. Membership in the Appeal Committee

Membership of the Appeal Committee shall be determined as described in the *Handbook*. Members shall serve a one year term.

In addition, three (3) BOE members shall be elected to serve as alternate members of the Appeal Committee.

No member or alternate member of the Appeal Committee may hear or vote on an appeal when that member has previously acted on the appellant's case, or has any interest in or relationship to an appellant (e.g., works in the same institution). Where appropriate, members of the Appeal Committee may recuse themselves from hearing any appeal. An appellant may indicate their concerns about possible conflict(s) of interest with member(s) of the Appeal Committee.

IV. Appeal Requests

A. Who May Appeal

1. Any individual member, or approved/accredited educational institution, may appeal any decision of a constituent council of the Bureau.
2. Specialty affiliates may appeal to the Appeal Committee, but must do so within thirty (30) days of receipt of the constituent council decision. Thereafter, the Appeal Committee shall

¹ Where appropriate, appellants from decisions of the CCME may be required to appeal actions of the CCME to the CCME Review Panel before appealing to the BOE Appeal Committee.

hear the appeal at a regular meeting or special meeting within sixty (60) days of appeal submission.

3. Constituent committees, councils, and/or bureaus of the AOA shall not initiate, or be granted, an appeal, but may request an appeal to the AOA Board of Trustees.

B. Scope of Appeal

The Appeal Committee has jurisdiction to consider appeals based on allegations of unequal application of regulations, requirements or standards; unwarranted discrimination; prejudice; unfairness; or improper conduct of all or any part of the action taken by the council or committee.

C. Initiation of Appeal

Appellants shall initiate the appeal process by submitting written requests for appeals to the Chair of the Bureau. The request for appeal shall include a summary of the factual background surrounding the matter and the alleged basis for the appeal. Where possible, the request should be supported by documentation that either supports the appellant's position or provides information regarding facts or circumstances that the constituent council or committee did not give due consideration.

D. Filing an Appeal Request

Appeal requests shall be filed with the Appeal Committee Chair and sent care of the following address: Secretary, Bureau of Osteopathic Education, American Osteopathic Association, 142 E. Ontario Street, Chicago, Illinois 60611. Appeal requests may also be submitted by email or other electronic communication by first contacting the Secretary for the appropriate address.

During the appeal process it is important that the Appeal Committee be notified of any change in address so that the procedure is not delayed because communications are not received in a timely fashion.

Following receipt of an appeal request, AOA staff shall review the request and documentation to confirm that the appeal meets the requirements set forth above and is within the Appeal Committee's jurisdiction. Appellants shall be notified within 10 business days whether or not a request for a hearing has been granted and provided information as to the anticipated date, time and location for the hearing. If an appeal is granted, staff shall also notify the Secretary of the constituent council or committee and any other parties concerned with the decision.

E. Effect of Appeal/Stay of Underlying Decision

Upon receipt of a request for an appeal, the underlying action ordered by the constituent council or committee shall be stayed. The Chair of the Appeal Committee shall review appeal petitions within one month of receipt to determine if the stay is necessary or appropriate. The parties shall be notified if the Chair decides to remove the stay. Appellants or appellees may submit written materials to the Chair in support of or opposition to a stay.

F. Requests for Reconsideration

In addition to an appeal, appellants may seek reconsideration from the constituent committee. To request reconsideration, within thirty (30) days of receipt of the notice of action, the appellant seeking reconsideration shall submit a formal written request to the chair of the relevant council or committee and the BOE Chair. Requests for reconsideration shall be based on facts or information not available at the time the council or committee acted. The basis for the request for reconsideration must be stated in the request. Reconsideration is a discretionary action and not a right. Following receipt of a request for reconsideration, a constituent council or committee may choose not to consider a request for reconsideration. Decisions to grant or deny reconsideration cannot be appealed to the appeal committee.

V. Appeal Fees

All educational programs, specialty colleges and OPTIs must submit a \$2,500 appeal fee with the formal written appeal request. Appeal fees do not apply to individual requests from students or physicians, including trainees. Should the Bureau Appeal Committee overturn a decision from one of the Education Councils, half the application fee (\$1,250) would be returned to the appellant, whether the decision was fully or partially overturned.

VI. Appeal Presentation and Protocol

A. Written Submissions

Once a hearing date is scheduled, , parties involved in the appeal may submit written materials in support of or opposition to the appeal. The written submissions should be submitted no later than fourteen (14) days before the appeal hearing date in order to ensure that the Committee has an opportunity to review the materials. The materials should include copies of appropriate documentation and be limited to the specific issues involved in the appeal. Personal narratives, without supporting documentation, are discouraged.

At the request of the Appeal Committee or a Council whose decision is involved in an appeal, a constituent council may participate in the appeal process by submitting written documentation, attending the appeal hearing to respond to questions of the Appeal Committee or, with the consent of the Appeal Committee chair, making an oral presentation at the appeal hearing.

Third-party presentations concerning the appeal, either orally or in writing will be accepted in appropriate circumstances. The other parties to the appeal will be advised of the third party submission.

The materials submitted by the parties should be limited to information and documentation available to the constituent council. If new material is submitted by the parties, the Appeal Committee may refer the appeal to the constituent council or committee as a request for reconsideration.

B. Format for Appeal Hearing

The Chair of the Appeal Committee shall determine the protocol for the appeal based on the facts and circumstances presented. Appeal hearings will generally conform to the following guidelines:

Approximately forty (40) minutes is allocated for the appeal:

- Five (5) minutes for the constituent council or committee to state its position
- Ten (10) minutes for the appellant's presentation
- Five (5) minutes for a presentation from the opposing party
- Ten (10) minutes for questions from members of the Appeal Committee
- Five (5) minutes for the opposing party's final statement
- Five (5) minutes for the appellant's final statement

C. Alternate Appeal Formats

Appellants are strongly encouraged to appear in person to present at appeal hearings. However, at the request of an appellant, an appeal may be heard telephonically or reviewed solely on the basis of materials submitted in writing. A request for a presentation by telephone or an appeal based solely on documents should be made no less than fourteen (14) days prior to the scheduled hearing date.

D. Representation by Counsel

An appellant may be represented by legal counsel. However, even when represented by legal counsel, an appellant must answer questions raised by the Appeal Committee during the question and answer portion of the hearing. If the appellant intends to have legal counsel present, the Appeal Committee must be notified of the name and address of counsel at least fourteen (14) days prior to the hearing. Expenses incurred in connection with the appeal shall be borne by the parties to the appeal and shall not be the responsibility of the Appeal Committee or the AOA.

E. Following the hearing, the Appeal Committee will conduct deliberations in Executive Session. All proceedings of the hearing are held in confidence.

VII. Adjudication by the Appeal Committee

The Appeal Committee takes action on all appeals heard and may decide upon any of the following outcomes:

- **Deny** – Actions of the constituent committee or council are upheld.
- **Approve** – Actions of the constituent committee or council are overturned.
- **Request Additional Information** – The Committee determines that it needs additional information to decide the appeal and requests that the parties provide additional information.
- **Defer** – The appeal is remanded back to the constituent committee or council for further review. The constituent committee or council is advised to submit any new recommendations or information for the next regularly scheduled meeting of the Appeal Committee.

Deliberations of any appeal and all materials reviewed are held in confidence, in accordance with the policies of the AOA and the Bureau of Osteopathic Education.

Appellants should note that an appeal request will not automatically extend the time of program approval or OPTI accreditation. While an appeal will temporarily stay the action recommended by a council, the appeal committee has the authority to maintain the original action date of the council decision as part of its decision.

VIII. Formal Notification of Appeal Action

Within twenty-one (21) days of the hearing, the Secretary of the Appeal Committee shall notify all parties to an appeal of the action taken. All actions shall be communicated to the appellant by mail or electronic mail and shall indicate that parties have the right to appeal the Committee's decision to the AOA Board of Trustees within thirty (30) days of receipt of the notice by submitting a formal request for appeal to the Chief Operating Officer, American Osteopathic Association, 142 E. Ontario Street, Chicago, Illinois, 60611. The notice shall also indicate that if an action is not appealed within the thirty (30) day limit, the action of the Bureau of Osteopathic Education Appeal Committee is final.