



**American Board of Optometry
Policy & Procedure Manual**

www.americanboardofoptometry.org

Updated November 2018



Table of Contents

Governance

Category 1	Board of Directors	1
1.1	Nominations and Selection of Board of Directors	1
1.2	Director Reappointment to Second Consecutive Term	1
Category 2	Officers and Committees	2
2.1	Nomination and Election of Officers.....	2
2.2	Executive Director.....	2
2.3	Chair.....	2
2.4	Vice Chair	3
2.5	Secretary	3
2.6	Treasurer.....	3
2.7	Audit Committee.....	3
2.8	Item Writing Committee.....	4
2.9	Item Review Committee	4
2.10	Form Review Committee	4
2.11	Maintenance of Certification Committee	5
Category 3	Professional Memberships	6
3.1	National Commission for Certifying Agencies (NCCA)	6
3.2	Institute for Credentialing Excellence (ICE)	6

Operational Policy and Procedure

Category 4	Professional Management	7
4.1	Record Retention Policy.....	7
4.2	Financial Management Policy	12
4.2.1	Credit Card Policy.....	12
4.2.2	Refund Policy	13
4.3	Nondiscrimination Policy	13
4.4	Code for Professional Business Practice and Conduct.....	14
Category 5	Professional Test Development	16
5.1	Contract	16
5.2	Accountability/Responsibility	16
5.3	Item Writing and Item Review Committees	16
5.4	Communication.....	16
5.5	Job Practice Analysis	17

5.6	Use of Job Practice Analysis Data	17
5.7	Item Writing and Item Review	17
5.8	Examination Development for Proctored Computer-Based Testing	18
5.9	Proctored Computer-Based Testing Administration.....	18
5.10	Technical Report	18
5.11	Standard Setting, Cut Score Determination and Equating	18
5.12	Establishment of a Pass/Fail Database	19
5.13	Test Item and Security	19
5.14	Candidate Guidelines.....	20
Category 6	Contractual Agreements	21
6.1	Legal Counsel	21
6.2	Auditor	21
6.3	Testing Service	21
6.4	Database Service.....	22
Category 7	Board Operations	23
7.1	Meetings	23
7.2	Meeting Agenda.....	23
7.3	Meeting Minutes.....	23
7.4	Committee Meetings	24
7.5	Meeting Attendance	24
Category 8	Confidentiality and Security.....	25
8.1	Examination Development Confidentiality Agreement.....	25
8.2	Confidentiality of Candidates' and Diplomates' Information.....	26
8.3	Conflict of Interest Policy	26
8.4	Whistleblower Protection Policy	29
Category 9	Judicial and Ethics Process	31
9.1	Disciplinary Policy	31
9.2	Purpose of the Judicial and Ethics Review	31
9.3	Procedure for Complaint Evaluation and Appeals.....	31
Category 10	Board Certification	33
10.1	Eligibility	33
10.2	Examination Registration.....	33
10.3	Americans with Disabilities Accommodations Act.....	33
10.4	Language Requirements	34
10.5	Score Reports.....	34

10.6 Re-testing.....	34
10.7 Appeal of Board Certification Decisions	34
10.8 Invalidating Board Certification.....	35
Category 11 Diplomate Guidelines.....	36
11.1 Maintenance of Certification	36
11.2 Use of Logo and Title	36
Category 12 Policy and Procedure Review.....	37
12.1 Annual Document Review.....	37

Governance

Category 1 Board of Directors (“Board”)

1.1 Nomination and Selection of Board

Policy:

American Board of Optometry (“ABO”) Directors may be elected for consecutive terms, but may not serve more than two consecutive full terms. A full term is defined as three years. Under special circumstances, a Director’s term may be extended for a period of one (1) year by super-majority (two-thirds) vote of the Board.

Procedure:

1. When a position on the Board is opening, the Executive Director notifies the appropriate core organization of the pending vacancy and the nomination deadline, which is 60 days prior to the annual meeting. The core organizations are:
 - a. American Academy of Optometry (AAO)
 - b. American Optometric Association (AOA)
 - c. American Optometric Student Association (AOSA)
 - d. Association of Schools and Colleges of Optometry (ASCO)
2. The core organization(s) makes three nominations for each designated seat on the Board. All Directors elected subsequent to October 24, 2012, except any at-large Directors representing the public, must be licensed optometrists in good standing who are Diplomates of the ABO. AOSA nominations must be doctors of optometry initially licensed for less than five years on the date of appointment. All nominations must be in writing and include a current curriculum vitae. The nomination deadline is 60 days prior to the annual board meeting.
3. Current Directors will review all candidate nominations and preselect the preferred candidate prior to the annual meeting.
4. During the annual meeting, the Board will conduct an official vote and elect the preselected Directors to the new Board term.
5. The Board may also consider and elect any individual for an At-Large Director position. Following a super-majority approval, additional At-Large Director positions can also be filled.

1.2 Director Reappointment to Second Consecutive Term

Policy:

A Director may seek reappointment for a second consecutive term following a recommendation from the Board.

Procedure:

1. At least 90 days prior to term expiration, a Director seeking a consecutive term informs the Executive Director of the request to be reappointed.
2. Remaining Directors privately evaluate the performance of the Director seeking reappointment.
3. The Chair of the Board will then recommend reappointing the Director or seeking a replacement prior to the nomination deadline.

Category 2 Officers and Committees

2.1 Nomination and Election of Officers

Policy:

Officer positions are elected annually by the Board in accordance with ABO bylaws. Officers may be elected for consecutive terms, but may not serve more than two consecutive full terms. A full term is defined as one year. Directors are prohibited from holding more than one officer position simultaneously. Under special circumstances, an officer's position may be extended by one (1) year by super-majority vote of the Board.

Procedure:

1. No later than 60 days prior to the annual board meeting, Directors may make nominations for officer positions. The Executive Director informs the Board of all nominations.
2. Officer positions include Chair, Vice Chair, Secretary, Treasurer and any other position the Board establishes. A nominated Director must formally accept the nomination through a letter of intent, expressing a willingness to serve and complete the duties of the designated office as outlined in the ABO bylaws.

2.2 Executive Director

Policy:

The Executive Director is the chief executive officer of the Board and has general executive powers and duties of supervision and management, as outlined in the ABO bylaws.

Procedure:

1. Qualifications
 - a. Management and leadership experience
 - b. Strong communication skills
 - c. Understanding of parliamentary procedure
2. Administrative Responsibilities
 - a. Carry out all directions and resolutions of the Board
 - b. Execute all bonds, notes, debentures, mortgages and other contracts
 - c. Direct the day-to-day operations of the ABO
 - d. Prepare budget reports and submit to the Board for approval
 - e. Draft and adhere to a business plan for the ABO
 - f. Prepare an annual report and submit to the Board
 - g. Manage all ABO staff

2.3 Chair

Policy:

The Chair of the Board presides at all meetings and has powers outlined in the ABO bylaws.

Procedure:

1. Qualifications
 - a. Nominated by an ABO Director
 - b. Expresses a willingness to serve through a letter of intent to the Board
2. Administrative Responsibilities
 - a. Preside at all Board meetings
 - b. Assume all duties and responsibilities of the Executive Director in the event that position becomes vacant.

2.4 Vice Chair

Policy:

The Vice Chair works with and supports the Board Chair and has specific additional powers as outlined in the ABO bylaws.

Procedure:

1. Qualifications
 - a. Nominated by an ABO Director
 - b. Expresses a willingness to serve through a letter of intent to the Board
2. Administrative Responsibilities
 - a. Support Chair of the Board
 - b. Perform duties as assigned by the Chair

2.5 Secretary

Policy:

The Secretary acts as the recorder for the Board. Additional specific powers are outlined in the ABO bylaws.

Procedure:

1. Qualifications
 - a. Nominated by an ABO Director
 - b. Expresses a willingness to serve through a letter of intent to the Board
2. Administrative Responsibilities
 - a. Keep minutes of all Board meetings
 - b. Act as custodian of all written records of the Board

2.6 Treasurer

Policy:

The Treasurer is responsible for supervising and recording all financial transactions of the Board. Additional specific powers are outlined in the ABO bylaws.

Procedure:

1. Qualifications
 - a. Nominated by an ABO Director
 - b. Expresses a willingness to serve through a letter of intent to the Board
2. Administrative Responsibilities
 - a. Act as supervisor and custodian of all money, funds and credits of the Board
 - b. Monitor and update all accounting books and records of the ABO
 - c. Expend and permit the disbursement of ABO funds
 - d. Complete a financial report at the request of the Chair of the Board

2.7 Audit Committee

Policy:

The audit committee is responsible for all financial reports and disclosure.

Procedure:

1. Appoint, compensate, terminate and oversee the work of independent auditors retained by the ABO
2. Review and discuss annual audited financial statements with management and independent auditors

3. Review all legal matters, risks or exposures that could have a significant impact on the financial statements with ABO management and independent auditors

2.8 Item Writing Committee

Policy:

The Item Writing Committee is responsible for Board Certification test development and works with our current test partner, Authentic Testing, to develop, update and maintain examination items.

Procedure:

1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board or the Executive Director.
2. The committees meet at regular intervals prior to each examination. Meetings may be via conference call or online interaction.
3. The committees, in conjunction with Authentic Testing, develop new test items.
4. All committee members are required to attend either online or in-person item writing events.

2.9 Item Review Committee

Policy:

The Item Review Committee is responsible for Board Certification test review and works with Authentic Testing to evaluate examination items.

Procedure:

1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board or the Executive Director.
2. The committee meets at regular intervals prior to each examination. Meetings may be via conference call or online interaction.
3. The committee, in conjunction with Authentic Testing, reviews and revises drafted items.
4. All committee members are required to attend either online or in-person item review events.

2.10 Form Review Committee

Policy:

The Form Review Committee is responsible for Board Certification form review and works with Authentic Testing to evaluate the examination in its completed state.

Procedure:

1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board.
2. The committee meets at regular intervals prior to each examination. Meetings may be via conference call or online interaction.
3. The committee, in conjunction with Authentic Testing, reviews and revises the examination in its completed form.
4. All committee members are required to attend either online or in-person form review events.

2.11 Maintenance of Certification Committee

Policy:

The Maintenance of Certification Committee is responsible for the standards of the Maintenance of Certification program.

Procedure:

1. The committee is made up of no less than two Directors.
2. The committee meets in person or by conference call at least twice yearly to consider ongoing operations of the program.

Category 3 Professional Membership

3.1 National Commission for Certifying Agencies (NCCA)

Policy:

The ABO was approved for NCCA accreditation on December 31, 2012 and will maintain this accreditation to ensure the quality and dependability of the Board Certification and Maintenance of Certification programs.

Procedure:

1. NCCA accreditation fees are a recurring annual expense in the ABO operating budget.
2. ABO staff submits any necessary renewals documents regularly to the NCCA.

3.2 Institute for Credentialing Excellence (ICE)

Policy:

The ABO maintains ICE membership to enjoy its benefits, including industry influence, professional recognition and networking opportunities.

Procedure:

1. ICE membership fees are a recurring annual expense in the ABO operating budget.
2. ABO staff and volunteers may attend the ICE annual meeting or various workshops to gain publicity for the ABO and learn about industry trends

Operational Policy and Procedure

Category 4 Professional Management

4.1 Record Retention Policy

Policy:

All documents necessary to conduct American Board of Optometry ("ABO") operations are retained as long as there is a reasonable need for them. This policy, which applies to documents both on-site as well as those stored with third-party vendors, must be followed by ABO Directors, officers, staff and volunteers.

Procedure:

The ABO, a 501 (c) (6) Missouri nonprofit corporation, as part of its day-to-day operations, and for the benefit of its affiliates, creates, retains and produces documents. This Records Retention Policy (this "Policy") provides ABO Directors, officers, staff and volunteers with procedures to follow with respect to the preservation of certain types of ABO documents. This Policy is designed to ensure the following.

1. All documents necessary to conduct ABO operations are available for as long as there is a reasonable need for them.
2. The ABO complies with all federal and state legal requirements for retaining documents.
3. Costs of records retention including the costs of storage and retrieval of retained documents are minimized.
4. Obsolete documents for which there is no operational or legal reason to maintain are disposed of in an appropriate manner.

When Directors, officers, staff or volunteers create documents, they must bear in mind that such documents may be: (1) subject to this Policy; or (2) demanded by third parties in the event of litigation or a government investigation.

Directors, officers, staff and volunteers must read and understand this policy and are expected to familiarize themselves with these procedures. Questions regarding document retention and document destruction must be addressed to the Executive Director or another applicable Director responsible for the area (the "Applicable Director").

This Policy governs the retention and disposal of documents in each of ABO's offices. All Directors, officers, staff and volunteers must follow the procedures set forth in this Policy.

Documents created, received or used during the conduct of ABO business, including all messages sent or received using ABO's e-mail system, are at all times the property of ABO wherever they are located (including documents located at an off-site facility or in a home). Directors, officers, staff and volunteers should understand that, at any time, ABO's senior management and, in certain circumstances, third parties such as government officials, may review, without prior notice, any and all documents, including documents marked personal.

Any perceived conflict between any applicable law and this Policy should always be resolved by adherence to the law. Any perceived conflict should promptly be brought to the attention of ABO's Executive Director.

This Policy is to be used as a general guide; it is not an exhaustive study of all records that ABO might maintain from time to time, nor does it address particular nuances of each particular situation. Anyone who is unsure concerning the retention of records or other aspects of this Policy should consult with ABO's Executive Director. Nothing in this Policy is intended to alter or abrogate any contractual undertaking of the ABO to return, destroy, or not retain copies of confidential information.

The term "documents" includes all paper documents, including without limitation: final documents, drafts, correspondence, and handwritten notes. The term "documents" also includes videotapes, audio tapes, all computer files, disks, e-mail, and all documents in electronic form.

Electronic documents are treated like other ABO records and are to be retained in accordance with this Policy. All Directors, officers, staff and volunteers should adhere to the ABO's policy on e-mail communications.

In accordance with the Electronic Signatures in Global and National Commerce Act (the "E- Signature Act"), 15 U.S.C. Sec. 7001-7031 (2000), the ABO may choose to comply with statutory and regulatory document retention requirements by storing records electronically.

The storage of such records electronically does not change the period of retention required by the applicable statute or regulation.

If the ABO (or a Director, officer, staff person or volunteer in a matter relating to ABO):

1. is subject to investigation by a governmental authority agency;
2. is party to a lawsuit or is threatened with potential litigation;
3. has received a subpoena or other legal process requiring its appearance in connection with a proceeding; or
4. becomes aware that an employee or board member has received a subpoena request for documents and that ABO might possess responsive documents;

or it is reasonably foreseeable that (1), (2), (3), or (4) above may occur, then no employee or Director of the ABO is permitted to destroy any document relevant to the subject matter of the investigation or litigation without specific written authorization from the Applicable Director.

If a determination is made that such a situation has occurred, then the Applicable Director must promptly circulate a written preservation notification to appropriate custodians of records and ABO employees directing a suspension of document destruction procedures with respect to documents relating to the situation.

Any questions regarding retention of documents, including whether a particular matter is subject to the above or whether specific documents are or might be relevant to a particular investigation or litigation, should be directed to the Executive Director. [See ABO Record Retention Guidelines]

Records stored in an offsite storage facility must be placed in a facility that has been duly licensed and authorized for such purpose. This facility must incorporate fire-retardant equipment, 24-hour security, and must be accessible to authorized ABO employees during normal business hours. Reasonable steps should be taken to back up electronic records to ensure redundancy in electronic storage.

Reasonable steps must be taken to maintain the security of networks and operational records. Data must be readily available only to those who need access to perform business function. Sensitive electronic information must be password protected to prevent unauthorized access.

Print information will be secured in locked files to prevent unauthorized access. The ABO Executive Director and ABO Business Manager will be the only key holders.

All Applicable Directors are authorized to and must oversee the destruction of all files within their area of authority. All documents should be shredded.

The ABO reserves the right, in its sole discretion, to amend or restate this Policy at any time and from time to time.

ABO Record Retention Guidelines
(updated November 28, 2012)

Type of Record/Responsibility	Retention Period
Accounting	
Audited Financial Statements	Perpetual
Paid Invoices, Requests for Checks, and Travel and Expense (TE) Reimbursement Requests (with Supporting Check Copy)	7 years
Bank Deposits, Debit, and Credit Memos	7 years
Bank Statements and Reconciliations	7 years
Budgets — Supporting Documentation And Background (paper version)	7 years
Budgets (Electronic Version)	Perpetual
Disbursement Images (Cancelled Checks)	7 years
Cash Receipts Posting Journals	7 years
Cash Management Entries	7 years
Lockbox Images (Lockbox Activity)	7 years
Application Remittances, Credit Memos, and Additional Information Forms	7 years
Employment Contracts	Perpetual
Employee Payroll Records (W2, W4, annual earnings record, etc.)	7 years*
Financial Statements	Perpetual
General Journal Entries	Perpetual
General Ledger (maintained electronically)	Perpetual
Inventory List (maintained annually for audit)	Perpetual
Invoices (Accounts Receivable)	7 years
Payroll Journal	7 years

Petty Cash Vouchers	7 years
Subsidiary Ledgers (Accounts Receivable, Accounts Payable, etc.) (Maintained Electronically)	Perpetual
Fixed Assets	Perpetual
Time Cards	5 years

Corporate Records

ABO Board of Directors Minutes	Perpetual
Annual Reports	Perpetual
Articles of Incorporation	Perpetual
Constitutions and Bylaws	Perpetual
Contracts	Perpetual
Census Reports	7 years

Employee Benefits

Employee Pension Records, including service, eligibility, personal information, pension paid, etc.	Perpetual
Government Reports	Perpetual
Pension Documents	Perpetual
Pension Profit-Sharing Plans	Perpetual

Human Resources

Employee Files	4 years*
Employee Tax Records	4 years
Garnishments	5 years
Health, Medical, and Safety	
Family Medical Leave Act (FMLA)	3 years

Job related illnesses and injuries	5 years
OSHA Log	5 years
Requests for accommodation of disability	1 year
Toxic substance exposure records	30 years*
Worker's Compensation Claims	30 years*

Hiring Records

Job applications, resumes, records relating to refusal to hire, advertisements about openings, promotions, or training opportunities	1 year
I-9	3 years after hire or 1 year after termination, whichever is later.
Insurance Plans and SPD's	6 years*
Separation Agreements	10 years

Legal

Claims and Litigation Files	10 years*
Copyright and Trademark Registration	Perpetual

Operations

Applications	Perpetual
Examinations	Perpetual
Examination Items/Questions	Perpetual
Examination Incident Files	Perpetual
Examination Scores/Results Files	Perpetual
Maintenance of Certification Records	Perpetual

Real Estate

Purchases, including title abstract, opinions, insurance policies, sales agreement, mortgages, deeds, etc.	Perpetual
Real estate, tenant leases	10 years (following termination of lease with tenant)

Tax

Income tax returns and cancelled checks (Federal, State, and Local)	Perpetual
Payroll Tax Returns	Perpetual
Property Tax Returns	Perpetual
Sales and Use Tax Returns	Perpetual
Tax correspondence	Perpetual
Forms W-9	Perpetual
Forms 1099 and 1096	7 years

** Indicates that retention period begins after final payment, settlement, expiration, termination, etc.*

4.2 Financial Management Policy

Policy:

With approval from the Treasurer, staff executes the financial decisions of the Board.

Procedure:

1. ABO staff executes financial transactions based on the annual budget approved by the Board.
2. ABO staff provides requested financial information to the Treasurer and Internal Audit Committee.

4.2.1 Credit Card Policy

Policy:

To financially benefit the ABO, a credit card has been established with which ABO staff can make purchases for the organization. The credit card is for business use only and may be used when deemed appropriate for various financial transactions.

Procedure:

1. The Executive Director has the power to issue credit cards to select Directors and staff.
2. Receipts are required for each transaction made on the ABO credit card for record purposes.
3. The credit card is the property of the ABO, not the cardholder, and user privileges can be rescinded at any time.
4. The monthly credit card statement must be submitted to the ABO Operations Manager promptly for payment.

5. The cardholder is responsible for the security of the credit card. This includes signing the back of the credit card, contacting the credit card company regarding suspect transactions personally, notifying the credit card company in the case of loss, cutting up expired or canceled cards and other measures to keep the ABO line of credit safe.

4.2.2 Refund Policy

Policy:

Candidates who decide to reschedule or withdraw from the examination must follow the procedures below to acquire a refund of fees.

Procedure:

1. No refunds are given for application fees.
2. Full refunds are awarded for exam fees prior to the exam. Candidates must withdraw from the exam on the Prometric website.
3. In order to prevent a change fee candidates must withdraw 31 days or more prior to the scheduled exam date.
4. A \$25 change fee will be incurred for cancelling or withdrawing from the exam within 30 to 7 days prior to the scheduled exam date.
5. A \$200 cancellation fee will be incurred for any cancellation or withdrawal less than 7 days prior to the scheduled exam date.

4.3 Nondiscrimination Policy

Policy:

The American Board of Optometry (“ABO”) is a 501 (c) (6) Missouri nonprofit organization, an equal opportunity employer dedicated to providing an environment free from discrimination due to race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, age and marital status, veteran status, or any other status protected by law. This policy ensures that equal employment and opportunity is provided to all individuals without regard to the above qualities. The ABO will not discriminate with respect to all aspects of the employment relationship, including, hiring, terms and conditions of employment and the termination of employment.

Any optometrist who applies for Board Certification and completes the requirements can earn the credential of Diplomate, regardless of his or her race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, age and marital status, veteran status and any other status protected by law. All Diplomates are given equal opportunity to maintain their certification.

In addition, the ABO strives to provide reasonable accommodations to employees and volunteers with disabilities and abides by the Equal Employment Opportunity Act as well as applicable state and local laws governing nondiscrimination.

The ABO strictly prohibits any form of unlawful harassment based on race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, age and marital status, veteran status, and any other status protected by law. The ABO is also committed to providing an environment free from sexual or other prohibited harassment and other intimidating or hostile acts.

Procedure:

1. All suspected acts of discrimination are thoroughly investigated by the ABO Board. Disciplinary action is taken against ABO staff and volunteers who do not abide by this nondiscrimination policy.
2. If discriminatory actions are suspected within the ABO, please contact the Executive Director at info@abopt.org or 314-983-4226, or if the complaint relates to the Executive Director, contact the Chair of

the Board. All Directors, officers and management employees are required to report any violation of this policy to the Board.

The ABO will not discriminate or retaliate against any person who complains of a violation of this policy or who participates in the investigation of a violation of this policy. Any complaint of retaliation may be reported according to and will be handled in accordance with Section 8.4 of the Policy Manual.

4.4 Code of Professional Business Practices and Conduct

Policy:

The American Board of Optometry ("ABO"), a 501 (c) (6) Missouri nonprofit organization expects all Directors, officers, staff and volunteers to conduct business in accordance with the letter, spirit, and intent of all applicable laws and to not do anything that is illegal, dishonest, or unethical. This Code of Professional Business Practices & Conduct ("Code") requires all to observe high standards of professional conduct in performing their duties and any work related to the ABO.

The purposes of this Code are to (1) outline certain basic principles of professional and ethical practices, (2) provide a mechanism to report unprofessional, unethical or illegal conduct, and (3) help to foster a culture of honesty and accountability. For purposes of this Policy, references to employees is intended to include those persons who are employed by other employers but are also leased or seconded to, or shared with, the ABO, but only to the extent such persons are engaged in any activities or affairs on behalf of the ABO.

Procedure:

1. Compliance with laws, rules and regulations - Obeying all applicable laws, both in letter and spirit, is the foundation on which the ABO's professional and ethical standards are built. No one acting for or on behalf of the ABO should take any action known or that reasonably should be known to violate any applicable laws, rules or regulations.
2. Conflicts of Interest - A "Conflict of Interest" exists when, in the course of employment or work for the ABO, judgment and discretion are or may be influenced by considerations of personal gain for oneself, a family member, friend or third party. All decisions for the ABO should reflect the best independent judgment and discretion possible, uninfluenced by any considerations other than what is honestly believed to be in the ethical best interest of the ABO. All persons acting for or on behalf of the ABO must conduct themselves in an ethical manner, and avoid any direct or indirect Conflict of Interest. It is not possible to address every potential Conflict of Interest situation. These Conflicts of Interest provisions are in addition to the ABO's Conflicts of Interest Policy.
 - a. External opportunities – All persons acting for or on behalf of the ABO are prohibited from taking, for their own personal benefit, any opportunity that is discovered through employment or association with ABO. No person acting for or on behalf of the ABO may use any ABO property, information, or position for improper personal gain. Those acting for or on behalf of the ABO owe a duty to the ABO to advance its legitimate interests when an opportunity to do so arises.
 - b. Gifts and entertainment - The purpose of business entertainment and gifts in a commercial setting is to create goodwill and sound working relationships, not to gain an unfair advantage. No gift or entertainment should ever be offered, given or provided unless it (1) is not a cash or cash equivalent gift, (2) is nominal in value, (3) is consistent with customary business practices, (4) cannot be construed as a bribe or payoff, or reasonably perceived as a response to past, current, or future favors, and (5) is not in violation of any policy regarding gifts and entertainment of the organization or business with which the recipient is associated.

The ABO also limits the acceptance of gifts and entertainment by anyone acting for or on behalf of the ABO from anyone having or seeking a business relationship with the ABO. Non-cash gifts generally may be accepted if they are occasional and have a value of \$50.00 or less.

Those acting for or on behalf of the ABO may not accept loans from a member or supplier (other than from a bank at market interest rate and market terms), or purchase for personal use or advantage any item from a member, supplier or competitor at terms that are more favorable than the terms offered to the general public or other ABO employees or volunteers. Participating in business-related functions, such as lunches or dinners, is a normal and permissible business practice. Care must be taken, however, to ensure that such functions are necessary and that their value and frequency are not excessive.

- c. Disclosure - If it is believed that there is a conflict or potential Conflict of Interest, the situation should be reported immediately to the ABO's Chair of the Board. (See Conflict of Interest Policy.)
3. Record keeping, financial controls and accounting practices - ABO requires honest, accurate and timely recording and reporting of information in order to make responsible business decisions. All expense accounts must be documented and recorded in a timely and accurate manner. If unsure of whether a certain expense is legitimate, ask ABO's Chair of the Board or Executive Director. All of ABO's books, records, accounts, and financial statements must be maintained in reasonable detail, must accurately reflect the ABO's transactions, must be promptly disclosed in accordance with any applicable laws and regulations, and must conform to applicable legal requirements and the ABO's system of internal controls. From time to time business records and communications may, for legitimate reasons, become public. Avoid exaggeration, derogatory remarks, guesswork, or insulting characterizations of people and companies. This applies equally to e-mail, voice mail, internal memos, and formal reports. Records must be retained or destroyed according to the ABO's Records Retention Policy.
4. Fraudulent or deceptive practices - Anyone acting for or on behalf of the ABO must not participate in any fraudulent or deceptive activity involving the ABO, its members, suppliers, contractors, employees, agents or anyone else with whom the ABO associates or does business.
5. Misuse of confidential information – All persons acting for or on behalf of the ABO must maintain the confidentiality of information entrusted to them by the ABO or its representatives or suppliers. Confidential information includes all non-public information about the ABO, its representatives and suppliers. The obligation to preserve the confidentiality of such information continues even after employment or association with the ABO ends.
6. Public statements - In writing an article or making a statement or speech, anyone associated with the ABO should avoid creating the impression that a position or statement on a subject is the policy of the ABO or an ABO entity, when that position in fact has not been adopted as ABO policy by the ABO Board. An ABO volunteer or staff person should be careful to distinguish between ABO policy and personal views. In some such cases, the individual who authored the article, statement or speech will be identified in the publication, document or program as an ABO representative. Where necessary, or where it would be a prudent safeguard to prevent any confusion or misunderstanding, the article, statement or speech must include the following disclaimer: "The views expressed are those of the author and do not necessarily reflect the views of the American Board of Optometry."
7. Amendment – The ABO reserves the right, in its sole discretion, to amend or restate this Policy at any time.

Category 5 Professional Test Development

Authentic Testing provides professional test development services for the ABO. Together, Authentic Testing and the ABO work to maintain the integrity of the Board Certification examination through item writing, item review, form review, and other relevant functions. The use of psychometric services allows ABO to complete proper job analyses, standards setting and scoring to ensure the exam meets professional standards.

5.1 Contract

Policy:

Authentic Testing handles all testing development in conjunction with the ABO.

Procedure:

1. At the annual Board meeting, the Executive Director discusses all contracts with the Board, including the Authentic Testing contract.
2. This contract outlines all tasks and responsibilities of both Authentic Testing and the ABO in regard to examination development.

5.2 Accountability/Responsibility

Policy:

Authentic Testing shares accountability with ABO for the quality of the Board Certification exam as well as its adherence to professional standards.

Procedure:

1. Authentic Testing advises ABO on the multiple components of the Board Certification examination. ABO volunteers, ABO staff, and ABO consultants work together with Authentic Testing to develop, score and analyze each examination. Authentic testing provides all psychometric analysis.
2. At the annual Board meeting, the Executive Director discusses Authentic Testing's delivery of services.

5.3 Item Writing and Item Review Committees

Policy:

The Item Writing and Item Review Committees work with Authentic Testing and ABO staff to ensure that each Board Certification examination is up to date with the latest optometric developments and meets professional standards. Please see policies 2.6 and 2.7 for more information.

Procedure:

1. Test development projects and procedures are outlined by Authentic Testing.
2. Item Writing and Item Review Committee members and Authentic Testing meet before each exam, or as needed, at workshops to help volunteers draft and revise new items.

5.4 Communication

Policy:

In order to maintain the integrity of the exam, constant communication between the ABO and Authentic Testing must continue throughout the year.

Procedure:

1. The Executive Director and ABO staff must be able to reach Authentic Testing on a weekly basis, through phone calls, email or other communication tools.
2. During the weeks leading up to Item Writing or /Item Review workshops and semi- annual Board Certification exams, communication between the two organizations increases to ensure important deadlines are being met.
3. The Executive Director and ABO staff keeps the Board informed of any major developments with Authentic Testing to ensure the best decisions are being made for the Board Certification exam.

5.5 Practice Analysis

Policy:

To ensure that the Board Certification examination content is aligned with professional standards, the ABO and Authentic Testing collaborate on a job practice analysis every five years.

Procedure:

1. No less than 12 months before the scheduled analysis, Authentic Testing outlines its methodology and tactics for the ABO.
2. Together the ABO and Authentic Testing determine details of the analysis including number of participants.
3. The analysis contract must be agreed upon and signed by both the ABO and Authentic Testing no later than three months prior to the scheduled date for the analysis. This contract outlines a timeline and details such as instrument specifications, random sampling, demographics of participants, task significance scales, content weight and other details.
4. Board Certification exam content for the following five years reflects the conclusions of the analysis.

5.6 Use of Practice Analysis Data

Policy:

All material utilized in the job analysis becomes property of the ABO after completion. A report of its findings and conclusions may be published.

Procedure:

1. The final job analysis report is for the use of developing content for the Board Certification exam.
2. Authorship rights are outlined in the job analysis contract between the ABO and Authentic Testing.

5.7 Item Writing and Item Review

Policy:

To ensure the integrity and standards of the exam, the ABO partners with Authentic Testing to conduct item writing and item review workshops. Items developed at these workshops are added to the ABO item bank, currently contracted with Assessment Systems.

Procedure:

1. The ABO and Authentic Testing hold item writing and item review sessions on an annual basis. The Item Writing and Item Review Committees invite Diplomates, as Subject Matter Experts (SMEs), to participate in the workshops.
2. Members of the Form Review team then review and update the drafted content to finalize items for each exam.
3. ABO is responsible for ensuring that each item is in its proper format and for entering each new item into the bank.

5.8 Examination Development for Proctored Computer-Based Testing

Policy:

When appropriate, new items are created for each exam, so that no two exams are identical. This contributes to the integrity of the exam as well as its success in meeting professional standards.

Procedure:

1. Exams are published semi-annually using a combination of new and previously tested items.
2. The exam consists of 340 multiple choice items, chosen from the item bank by the Form Review team, that constitute a 160-item general practice core and three 60-item areas of emphasis.
3. The Board and ABO staff reviews the exam to ensure its accuracy, fairness, integrity and functionality. Any revisions are submitted to the Form Review committee.

4. A final version of the exam is reviewed and approved by the Executive Director.

5.9 Proctored Computer-Based Examination Administration

Policy:

ABO contracts with Prometric to administer the Board Certification exam at specific testing locations semi-annually, in January and July. The procedures below outline proctoring for the exam.

Procedure:

1. Testing sites must be established Prometric Test Center locations, in accordance with its standard security measures. Exams are held semi-annually, in January and July, at these locations.
2. The multiple choice exam is administered through secure computers in a locked, monitored room at a Prometric testing site.
3. Prometric staff handles all registration issues, proctoring decisions and technical exam problems onsite, but non-routine issues are elevated to the ABO Executive Director.

5.10 Technical Report

Policy:

Following each Board Certification exam, Authentic Testing will supply a technical report that outlines issues such as test specifications, reliability of the exam, score statistics and other relevant information.

Procedure:

1. The report evaluates score statistics for the general practice core sections and each area of emphasis section, including minimum scores, maximum scores, mean scores, skew, standard deviation and other relevant statistics.
2. Pass and fail rates are included on the technical report.
3. The report will analyze compliance with the exam blueprint to ensure content domains have been weighted appropriately.
4. Each item included on the exam will be analyzed statistically and any flawed or poorly performing items will be flagged.

5.11 Standard Setting, Cut Score Determination and Equating

Policy:

Following each job practice analysis, the ABO and Authentic Testing collaborate to determine a cut score through a process approved by the National Commission for Certifying Agencies (NCCA).

Procedure:

1. Following a new job practice analysis, the ABO Board selects a panel of at least five Subject Matter Experts (SMEs) for participation in a standard setting study. Demographics, experience in optometry and other defining characteristics are taken into consideration during this selection process.
2. With the aid of Authentic Testing, and using an NCCA-approved psychometric method, the panel begins to determine cut scores. The SMEs determine the standard of minimal competence for Board Certification through discussion of the minimum level of knowledge a candidate should have in categories of basic knowledge, fundamental understanding, working knowledge and more. The SMEs then rate the items, resulting in a recommended cut score.
3. The ABO Board convenes a final standard setting meeting to review the panel recommended cut scores, as well as other statistically valid cut scores, and makes the final decision in accordance with Authentic Testing.
4. Authentic Testing conducts an equating process for each board certification exam utilizing past exams.

5. Authentic Testing develops a cut score report, reliability report, equating report and standard setting report for the ABO to keep in its records.

5.12 Establishment of a Pass/Fail Database

Policy:

Authentic Testing handles all scoring, including assigning pass/fail status to each candidate based on the standard setting and cut scores determined by the ABO. Authentic Testing forwards these scores to the ABO, who individually notifies all candidates of their score.

Procedure:

1. Following the exam, Authentic Testing creates score reports for each candidate, which are placed on a secure site for the ABO to review. ABO staff contacts the candidates themselves, by a pass or fail letter and through the online portal.
2. Through the aid of our portal vendor, currently Heuristics, the ABO maintains a candidate and Diplomate database which houses all personal information and limited exam information, including exam date and pass/fail status but not exam scores. The ABO updates this database with new data following each exam.
3. New Diplomates are mailed an ABO Certificate, a Diplomate pin, Maintenance of Certification requirements and other relevant informational literature.

5.13 Test Item and Security

Policy:

Board, staff and volunteers who participate in test development must sign a Non-disclosure Agreement to ensure the integrity of the Board Certification Exam. Both documents make clear that specific details about the exam should be kept confidential.

Procedure:

1. All persons who participate in test development are prohibited from copying test materials or keeping documents used during item writing/item review workshops.
2. Materials utilized during item writing/item reviewing workshops are safeguarded by the Item Writing and Item Review Committees and may only leave the room under committee members' supervision and authority.
3. Participants must wait two years after participating in an item writing or item review workshop before taking a Board Certification exam.
4. ABO staff will maintain all Non-disclosure Agreements in the ABO office.

5.14 Candidate Guide

Policy:

To aid candidates in their pursuit of Board Certification, the ABO provides a Candidate Guide that outlines relevant and necessary information for achieving Diplomate status. On initial application, each candidate agrees to read through and reference this publication in order to better understand the process ahead. This handbook is updated as needed and is publicly available on the ABO website.

Procedure:

1. The Executive Director and ABO staff maintains and updates the Candidate Guide as needed. Annual reviews of the publication ensure that is up to date.
2. Any changes to the Candidate Guide must be reviewed by the Board.
3. Any information in the Candidate Guide regarding delivery of the Board Certification exam must be approved by Prometric.

Category 6 Contractual Agreements

The ABO retains legal counsel, database services, testing agents, auditors and others to ensure the validity and integrity of the Board Certification exam. The Board reviews these contracts annually and update as needed.

6.1 Legal Counsel

Policy:

For all legal matters regarding the ABO, the Board refers to legal counsel. The Executive Director handles all communication with legal counsel.

Procedure:

1. The ABO may request legal counsel to review contracts, bylaws changes, communications and other documents relevant to the organization.
2. The ABO may ask for consultation regarding Board Certification examination legal issues, including potential litigation.
3. The Treasurer must approve use of ABO funds utilized for legal services.
4. Legal counsel may attend Board meetings in order to properly represent and provide adequate services for the ABO.

6.2 Auditor

Policy:

The auditor is responsible for all financial concerns of the ABO and reports to the Treasurer, the Audit Committee and Board. Our current audit firm is BKD, LLP.

Procedure:

1. The auditor provides support in all financial matters of the ABO.
2. At the end of the fiscal year, the auditor will submit an audit report of the ABO's financial records to the Board. This is due no later than six months after the end of the fiscal year.
3. In the event a government agency requests ABO financial records, the auditor is responsible for furnishing them.
4. The auditor submits the ABO completed tax forms to the appropriate IRS location each year during tax season.
5. The auditor may attend Board meetings in order to properly represent and provide adequate services for the ABO.

6.3 Testing Services

Policy:

The ABO collaborates with test development, test delivery and item banking vendors to ensure the accuracy and integrity of the Board Certification exam.

Procedure:

1. Each organization provides support to ABO for various parts of the testing process.
2. Each organization must comply with NCCA standards, which ensures the Board Certification exam is reliable, accurate and fair.
3. Proven security measures must be utilized to ensure the integrity of the exam.
4. Each organization will provide consultation to the ABO in regards to their specific expertise in the testing process.

6.4 Database Services

Policy:

The ABO retains an outside database management organization to ensure the security and confidentiality of candidate and Diplomate information. Our current vendor is Heuristics Solutions.

Procedure:

1. The database services organization maintains all candidate and Diplomate records in a secure online database.
2. Limited ABO staff has access to these records through the use of a username and password.
3. The organization utilizes firewalls and other online security measures to ensure the protection of ABO records.

Category 7 Board Operations

7.1 Board Meetings

Policy:

The Board meets at least once annually on dates set by the Executive Director and Chair of the Board. Additional meetings may be arranged throughout the year.

Procedure:

1. The Executive Director and Chair agree on a date and location for the annual meeting. Per ABO bylaws, notice of an annual meeting will be given to each Director not less than five days before the date of the annual meeting.
2. While attendees are responsible for arranging their own travel and lodging, expenses are reimbursed by the ABO. A food allowance is also provided.

7.2 Board Meeting Agenda

Policy:

The Chair of the Board and Executive Director collaborate on a written agenda that includes all discussion topics for the meeting. Directors are required to review the agenda and prepare for the meeting.

Procedure:

1. Drafted by the Executive Director, the agenda includes all topics for discussion and must receive approval from the Chair before it is sent to the Directors.
2. If a committee has literature to discuss at the meeting, it must be submitted to Directors no less than 72 hours prior to the meeting.
3. Directors are responsible for preparing themselves by reading the agenda and other accompanying literature prior to the annual meeting.
4. The agenda will be generally outlined as follows:
 - a. Welcoming statements and call to order
 - b. Review and approval of prior meetings' minutes
 - c. Election of new Directors and renewal of existing Directors
 - d. Election of officers
 - e. Report of the Chair
 - f. Report of the Executive Director
 - g. Report of the Treasurer
 - h. Committee reports
 - i. Old business and recurring discussion topics
 - j. New business
 - k. Annual calendar
 - l. Good and welfare news
 - m. Closing statements and adjournment

7.3 Board Meeting Minutes

Policy:

Minutes are recorded for every Board meeting by the secretary of the Board, unless delegated to the Executive Director.

Procedure:

1. The secretary is responsible for taking minutes for every Board meeting, arranging these minutes in a specific format and distributing them to the remainder of the Board.
2. Prior to each meeting, the secretary submits a draft of the minutes to the Chair of the Board for approval.
3. The Chair submits any changes to the draft of minutes.
4. The secretary updates the minutes and distributes them to the remainder of the Board.
5. At the next Board meeting, minutes are approved and final copies are distributed to Directors.
6. ABO staff stores a final digital copy of all minutes on-site for future reference.

7.4 Committee Meetings

Policy:

Committees exist to help further the mission of the ABO and spread out the responsibilities of the Board as a whole.

Procedure:

1. Committee members consist of ABO Diplomates, but may include a minority of SMEs who are not Diplomates if approved by the Chair of the Board.
2. Each committee has a designated Chair that communicates with the Board and leads committee meetings.
3. Each committee prepares a report on its activities and submits it to the Directors for review no less than one week prior to a Board meeting.

7.5 Meeting Attendance

Policy:

Directors should attend every Board meeting.

Procedure:

1. Directors are given advanced notice for each Board meeting, and it is their responsibility to make travel and lodging arrangements for in person meetings.
2. If Directors cannot make the meeting, will arrive late or must leave early due to an emergency, they must inform the Chair of the Board.
3. If Directors are unable to perform the above duties by being present at Board meetings, they may be relieved of said duties and replaced.

Category 8 Confidentiality and Security

8.1 Exam Development Confidentiality Agreement

Policy:

The American Board of Optometry ("ABO"), a 501 (c) (6) Missouri nonprofit organization requires all Board, staff and test development volunteers to keep all exam details, including items, scores and other relevant information, confidential to protect the integrity of the exam.

The ABO is responsible for its organization's confidential information and that of its applicants, candidates and Diplomates. Directors, staff and volunteers of the ABO must agree to protect this information and therefore the integrity of the organization.

The term "Confidential Information" means information, not generally known, acquired by the ABO and/or which may be acquired by the employee and/or the ABO during the period of the employee's employment by ABO, relating to products (whether existing or under development), the business activities of the ABO, technology, its services or its products.

Confidential Information includes personal and proprietary information of applicants, candidates and Diplomates. It also includes their contact information, identity information, financial accounts, exam scores, ABO portal passwords and other confidential information not included in this document. When handling this sensitive information, great care should be taken to keep it protected. Confidential Information should never be given over the phone. Information is only released after receiving a written permission from the subject of the information. ABO staff is responsible for this release of personal information and should therefore take great care to keep it confidential. All persons with access to online and database software must log out when stepping away from their desk or leaving for the day. All files with personal and/or financial information should also be locked when not in use.

Financial information regarding the ABO is also considered confidential and should not be shared with anyone outside the organization. This includes details of bills, contracts, accounts and other sensitive ABO proprietary information.

This policy should not be utilized as the only reference for confidentiality concerns. An ABO senior staff member or the Executive Director should be consulted regarding any questions about this confidentiality policy or how to correctly protect sensitive information.

Procedure:

1. Prior to participating in any test development activities or discussions, Directors, staff and test development volunteers sign the Confidentiality Agreement, which outlines prohibited activities related to test development.
2. Directors, staff and volunteers involved in test development may not leave with materials from item writing/item review workshops or sessions. No documents from these events may be copied or recorded.
3. All discussions regarding test development, including item writing and item reviewing, must be kept confidential and not shared with anyone outside of the ABO.
4. If any of the above procedures are broken or if a Director, staff member or volunteer does not protect the confidentiality of the Board Certification exam, said person may be relieved of all ABO responsibilities immediately.

8.2 Confidentiality of Applicants', Candidates' and Diplomates' Information

Policy:

The ABO is responsible for its organization's confidential information and that of its applicants, candidates and Diplomates. The ABO, in collaboration with Prometric, Authentic Testing and Heuristics Solutions, maintains all confidential records in a secure online database. Personal information and test scores are kept confidential. Limited ABO staff has access to these records, and all employees, volunteers and Directors must agree to protect this information through a confidentiality agreement.

Procedure:

1. Prometric maintains a safe and secure database of all candidate and Diplomate exam information, including total scores, item scores and more. Prometric provides total scores for each registered candidate after each exam. Limited ABO staff has access to this information and must sign a confidentiality agreement assenting to keep all candidate and Diplomate personal and financial information confidential.
2. Heuristics Solutions provides a database of all candidate application and financial information for the ABO. This online database is protected by a security firewall as well as other measures taken to safeguard candidate and Diplomate information. Limited ABO staff has access to this information and must sign a confidentiality agreement assenting to keep all candidate and Diplomate personal and financial information confidential.
3. No applicant, candidate or Diplomate information, including scores, personal information, financial data or other private information is kept on-site in ABO offices for security purposes.
4. All violations of the confidentiality agreement are evaluated by the ABO Board.

8.3 Conflicts of Interest Policy

Policy:

The ABO, a Missouri 501 (c) (6) nonprofit organization, adopts this Conflicts of Interest Policy ("Policy") to protect its interests when considering a transaction or arrangement that might involve the personal interest of a Director, officer, staff member, committee member, or other decision maker of the ABO. This Policy is intended to supplement but not replace any applicable state laws governing conflicts of interest. For purposes of this Policy, references to employees of ABO are intended to include those persons who are employed by other employers but are also leased or seconded to, or shared with, the ABO, but only to the extent such persons are engaged in any activities or affairs on behalf of the ABO.

Definitions:

1. "Board" means the Board of Directors of the ABO, as defined or referred to in ABO's articles of incorporation or bylaws.
2. "Committees" means, refers to, and includes, any and all committees or task forces authorized by the ABO's bylaws, or the Board. The term "Committee" in the singular form refers to any one committee or group in a general sense. A "Committee member" is a member, whether voting or *ex officio*, of any Committee.
3. "Compensation" means and includes direct and indirect remuneration
4. as well as gifts or favors that are substantial in nature.
5. "Director" means any member of the Board.
6. "Interested Person" means any Director, officer, or Committee member who has a direct or indirect Personal Interest, as defined below.

7. "Personal Interest" means that a person has, directly or indirectly, through business, investment, family, or other relationship:
 - a. an ownership or investment interest in, or Compensation arrangement with, any entity with which the ABO has a transaction or arrangement;
 - b. a Compensation arrangement with the ABO or with any entity or individual with which the ABO has a transaction or arrangement;
 - c. an existing or potential ownership or investment interest in, or Compensation arrangement with, any entity or individual with which the ABO is negotiating a transaction or arrangement; or
 - d. any other relationship that affects the independent and sound judgment of the person acting on behalf of the ABO.

Procedure:

1. Duty to disclose
 - a. In connection with any actual or possible conflicts of interest, an Interested Person must disclose the existence and nature of any Personal Interest to the Board, applicable Committee members, or other applicable persons who are considering the proposed transaction or arrangement.
 - b. No Interested Person will be authorized to enter into any contract on behalf of the ABO or commit the ABO or its resources in any way regarding any transaction or arrangement in which the Interested Person's Personal Interest is implicated, unless specifically authorized by the Board.
2. Determining whether a conflict of interest exists
 - a. After disclosure of the Personal Interest and all material facts, and after any discussion with the Interested Person, the Interested Person will leave the Board or Committee meeting while the Personal Interest is discussed and voted upon by the remaining Directors or Committee members, who will decide if a conflict of interest exists.
 - b. If a consensus is not reached within a Committee, but the Committee determines that no conflict of interest exists, any dissenting Committee member may—but is not required to—bring the matter to the attention of the Board, which will review the Committee's decision regarding the existence of a conflict of interest and may either ratify or override it.
3. Procedures for addressing a conflict of interest
 - a. An Interested Person may make a presentation at the Board or Committee meeting during which a transaction or arrangement involving a possible conflict of interest is being considered but, after the presentation, such Interested Person will leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.
 - b. The Board or Committee will, if appropriate, appoint a disinterested person, Committee, or task force to investigate alternatives to the proposed transaction or arrangement.
 - c. After exercising due diligence, which may include conformance with paragraph 3(b) of this Article III, the Board or Committee will determine whether the ABO can reasonably obtain a more advantageous transaction or arrangement from a person or entity under circumstances that would not give rise to a conflict of interest.
 - d. If a more advantageous transaction or arrangement is not reasonably obtainable under circumstances that would not give rise to a conflict of interest, the Board or Committee will determine by a majority vote of the disinterested Directors or Committee members: (1) whether the transaction or arrangement is in the ABO's best interest and for the ABO's own benefit; (2) whether the transaction is fair and reasonable to the ABO; and (3) whether to enter into the transaction or arrangement in conformity with such determination.
 - e. A conflict of interest transaction is properly authorized, approved, or ratified if it receives the affirmative vote of a majority of the Directors on the Board or members of the applicable Committee, who have no direct or indirect interest in the transaction, but a transaction may not be authorized, approved, or ratified by a single Director or single Committee member. If a majority of the Directors on the Board, or members of the applicable Committee, who have no direct or indirect interest in the transaction vote to authorize, approve or ratify the transaction, a quorum is present for the purpose of taking action under

this Policy. The presence of, or a vote cast by, a Director or Committee member with a material interest in the transaction does not affect the validity of any action taken if the transaction is otherwise approved as provided in this Policy.

- f. A conflict of interest transaction is not voidable on the basis of imposing liability on a non-compensated Director, officer, or Committee member if the transaction was not unfair to the ABO at the time it was entered into or is approved as provided in this Policy.
4. Violations of this policy
 - a. If the Board or Committee has reasonable cause to believe that a Director, officer, or Committee member has failed to disclose an actual or possible conflict of interest, it will inform that person of the basis for such belief and afford said person an opportunity to explain the alleged failure to disclose.
 - b. After hearing the response of the Director, officer, or Committee member, the Board or Committee will further investigate as may be warranted under the circumstances. The Board or Committee will then determine whether the Director, officer, or Committee member has in fact failed to disclose an actual or possible conflict of interest. If so, it will take appropriate corrective action.
 - c. If a consensus is not reached within a Committee, but the Committee determines that the Committee member has not failed to disclose an actual or possible conflict of interest, any dissenting Committee member may — but is not required to — bring the matter to the attention of the Board, which will review the Committee's decision and may either ratify or override it.
 5. Perceived conflicts
 - a. The ABO wishes to set high standards of integrity and openness. As such, it strives to have its publicly perceived image reflect the true nature of the ABO. To avoid having that image tarnished in any way, the ABO shall be wary of perceived conflicts of interest.
 - b. The ABO and its Directors, officers, and Committee members will take steps to eliminate or, at the very least, minimize any perceived conflicts of interest.
 - c. Perceived conflicts of interest will be raised with the Board, which will determine if an actual or perceived conflict exists.
 - d. If a perceived conflict exists, the Board will take the necessary and appropriate steps to eliminate or minimize the perceived conflict.
 6. Records of proceedings
 - a. The Board and all Committees will keep and maintain minutes of each of their meetings relating to an actual or possible conflict of interest.
 - b. The minutes of the Board and all Committees relating to an actual or possible conflict of interest will be kept in a central location and contain, among other things:
 - i. the names of the person(s) who disclosed or otherwise were found to have a Personal Interest in connection with an actual or possible conflict of interest;
 - ii. the nature of the Personal Interest;
 - iii. any action taken to determine whether a conflict of interest was present;
 - iv. the Board's or Committee's decision as to whether a conflict of interest in fact existed;
 - v. the names of the persons who were present for discussions and votes relating to the transaction or arrangement;
 - vi. the content of the discussion, including any alternatives to the proposed transaction or arrangement; and
 - vii. a record of any votes taken in connection with the proposed transaction or arrangement.
 7. Compensation - A person who (1) is a voting member of the Board or any Committee whose jurisdiction includes compensation matters, and (2) receives compensation, directly or indirectly, from the ABO for services is precluded from voting on matters pertaining to that person's compensation.
 8. Annual statements - All Directors, officers, and members of any Committee with governing board-delegated powers will annually sign a statement which affirms that such person:
 - a. has received a copy of this Policy
 - b. has read and understands this Policy
 - c. has agreed to comply with this Policy

- d. understands that the ABO is a nonprofit organization and that, in order to maintain applicable federal tax, property tax, and other tax exemptions, it must engage primarily and sometimes exclusively in activities which accomplish one or more of its tax-exempt purposes
 - e. has disclosed any potential conflicts of interest.
9. Periodic reviews - To ensure that the ABO operates in a manner consistent with its purposes, and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax and other applicable taxes, periodic reviews will be conducted at the direction of the Board. In conducting such periodic reviews, the ABO may, but need not, use and rely on outside experts or advisors. If outside experts or advisors are used, their use will not relieve the Board or Committees of their responsibility for ensuring that periodic reviews are conducted.
 10. Amendment – the ABO reserves the right, in its sole discretion, to amend or restate this Policy at any time and from time to time.

8.4 Whistleblower Protection Policy

Policy:

The ABO, a Missouri 501 (c) (6) nonprofit organization expects all Directors, officers, staff and volunteers to conduct business in accordance with the letter, spirit, and intent of all applicable laws and ABO policies and to not do anything that is illegal, dishonest, or unethical, or a violation of ABO policies. The purpose of this Whistleblower Protection Policy ("Policy") is to provide a mechanism to report unprofessional, unethical or illegal conduct. For purposes of this Policy, references to employees is intended to include those persons who are employed by other employers but are also leased or seconded to, or shared with, ABO, but only to the extent such persons are engaged in any activities or affairs on behalf of ABO.

Obeying all applicable laws and ABO policies in letter, spirit, and intent is an important part of ABO's professional and ethical standards. No one acting for or on behalf of ABO should take any action known or that reasonably should be known to violate any applicable laws or ABO policies. For purposes of this Policy, any reference to "laws" is intended to include any and all applicable governmental laws, regulations, rules, or orders, and any reference to "ABO policies" is intended to include any and all codes and policies adopted by the ABO's Board of Directors, including any code of professional and ethical practices and conduct, conflicts of interest policy, records retention policy, or this Policy.

Procedure:

The following explains how any director, officer, employee or volunteer can report to ABO, on a confidential and, if desired, anonymous basis, any concern regarding any violation of laws or ABO policies. It also explains ABO's policies for receiving and resolving complaints or reports regarding any such improper conduct. In addition, the following is intended to make it clear that ABO will not retaliate against anyone who reports any such improper conduct or properly participates in any resulting investigation.

1. Claims of improper action should be brought to the Executive Director. In the event that the claim involves the Executive Director, it may be brought to the Chair of the Board, or alternatively to any member of the Executive Committee if the Chair also is involved with the claim.
2. The Executive Director, or alternatively the Chair or Executive Committee member to whom the claim is brought, will appoint an investigating officer who will initiate an investigation of the claim(s) and will control the scope and activities of the investigation.
3. Once a retaliation complaint is made, the investigative and hearing process will be treated as a confidential matter by all parties until a final decision is rendered.
4. The Board as a whole, without any member who is involved in the investigation or part of the claim present, will review the reports and evidence of the investigating officer, will make findings of fact in such cases, and will have authority to issue binding decisions in accordance with the provisions of this policy.
5. It is the Board's expectation that all cases brought to its attention should be decided in a thorough but expedient manner. As a guideline, a term of no more than sixty (60) calendar days is the expectation for resolution of complaints

It is the ABO's intent to encourage and enable anyone acting for or on behalf of the ABO to raise Concerns within ABO for investigation and appropriate action. Consequently, no one who, in good faith, reports a Concern or cooperates in an investigation will be subject to retaliation or, in the case of an employee, adverse employment consequences. Moreover, an employee who retaliates against someone who has, in good faith, reported a Concern or participated in an investigation, is subject to discipline up to and including termination of employment.

All Concerns received by the Chair of the Board or other member of the Board of Directors will be promptly investigated.

Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed indicates a violation of law or an ABO policy, or a questionable or improper accounting or auditing matter.

Reports of Concerns and investigations will be kept confidential to the extent practicable, consistent with the need to conduct an adequate investigation and, if warranted, implement corrective action. Disclosure of reports of Concerns to individuals within the ABO who are not involved in the complaint process or investigation will be viewed as a serious offense and may result in discipline, up to and including termination of employment.

The ABO reserves the right, in its sole discretion, to amend or restate this Policy at any time and from time to time.

Category 9 Judicial and Ethics Process

9.1 Disciplinary Policy

Policy:

The ABO is dedicated to protecting the integrity of its board certification exam. The organization does not tolerate cheating, falsification, or inappropriate conduct. Violations include but are not limited to the following:

1. Cheating or attempting to cheat on the Board Certification exam, including but not limited to illegally obtaining, reproducing or copying exam materials
2. Aiding another in cheating or attempting to cheat on the Board Certification exam
3. Misrepresentation or falsification of requirements, including residencies, fellowships and education
4. Falsification of Diplomate status or use of ABO logo without permission
5. Misuse of the ABO credential

All applicants, Active Candidates and Diplomates must adhere to all current and future rules, regulations and ethical standards established by the ABO. Failure to do so may lead to disciplinary action by the ABO, including but not limited to the denial of an application, non-renewal of board certification, revocation of certification or status, probation or suspension of any and all ABO applications, certifications and Diplomate status.

Procedure:

Those found in violation of ABO policies face disciplinary action as determined by the ABO Board.

9.2 Purpose of the Judicial and Ethics Review

Policy:

The ABO Board, through a Judicial and Ethics Review, is responsible for examining situations in which Board Certification has been falsified or misrepresented, judging these situations and then deciding upon appropriate disciplinary measures. These incidents include falsifying Board Certification, forging educational documents during the application or maintenance process, the misuse of the ABO logo and credentialing terms, criminal behavior by a Diplomate and more. The Judicial and Ethics Review will also address all complaints regarding the Board Certification exam. The Board works closely with Prometric to resolve all exam-related issues.

Procedure:

1. A Judicial and Ethics Review may be convened either by phone conference or in a physical meeting.
2. All complaints or tips regarding the falsifying of documents must be made in writing, with a full name and contact information provided. This information is utilized to acquire additional information regarding the case and will not be made public. In the occurrence that credible evidence is presented, the committee does not need someone to make a complaint before taking action.
3. After receiving either a written complaint or sufficient evidence, the Board may appoint a team to investigate, and then report its findings to the entire Board of Directors.
4. The ABO depends on optometry professionals, Diplomates, candidates, Directors, staff and others to inform the ABO of any potential incidents.

9.3 Procedure for Complaint Evaluation and Appeals

Policy:

The Executive Director is responsible for investigating any complaint or accusation made, as described in Section 9.2. The accused must be notified of the charge at least 30 days before action is taken to allow enough time to provide a defense.

Procedure:

1. Following a complaint, the ABO must notify the accused of the complaint in writing. The accused then has 30 days to build a written defense to present to the committee. Lack of a response from the accused will be taken as an admittance of guilt, which should be made clear to the accused.
2. If a written defense is submitted, the ABO will review it and discuss the possibility that a violation against the ABO and Board Certification was made. If the ABO determines there is probable cause, a hearing date for the accused is set no less than 30 days from this decision.
3. The accused may have legal representation and will have these 90 days to prepare for a formal hearing.
4. The ABO designates a Director to act as an investigator. This person will contact all parties who may have information on the case and will attempt to learn as much about the complaint as possible, including finding viable witnesses and evidence.
5. At the formal hearing, each side is allowed to have witnesses. Opening and closing arguments are also allowed. A recording of the hearing will be made to allow the ABO to review the proceedings at a later time.
6. Following the hearing, the ABO will privately discuss evidence supplied by each side. A vote is taken to determine if a violation was made. A majority vote is needed. If it is determined that a violation did take place, another vote is taken to determine disciplinary action. Again, a majority vote is needed.
7. If the ABO determines a violation has been made and chooses to take action, the accused may make a formal written appeal within 30 days.
8. If new information or evidence is presented in this appeal, the Board may reconsider the action. An investigation must take place to determine if the information is valid. If it is, a rehearing date will be set.

Category 10 Board Certification

10.1 Eligibility

Policy:

Board Certification is a voluntary process that optometrists may enter to gain professional recognition and demonstrate their dedication to lifelong learning. Diplomate status is granted after passing the Board Certification exam. To maintain this status, Diplomates must participate in the Maintenance of Certification program.

Procedure:

1. Qualifying requirements must be fulfilled before an application can be approved by the ABO, allowing the applicant to become an ABO Active Candidate. These include graduation from a School or College of Optometry accredited by the Accreditation Council on Optometric Education (ACOE) and an active license to practice therapeutic optometry in a State, District of Columbia, U.S. Commonwealth or Territory. Verifying these accomplishments can take the ABO up to 30 days.
2. To become eligible for the Board Certification exam, a candidate must attain 150 points within the three years prior to taking the exam. These points can be attained through approved residencies, fellowships, and educational activities.
3. Active Candidate status may be renewed for up to three years total by submitting proof of completion of 50 points toward the Post-Graduate requirements for each year of eligibility.
4. Once Post-Graduate requirements are completed and verified by the ABO, the candidate may register for the Board Certification exam through Prometric.

10.2 Examination Registration

Policy:

After Post-Graduate requirements have been verified by the ABO, a candidate can register for the Board Certification exam through Prometric. Guidelines for this process are outlined in the Candidate Guide.

Procedure:

1. After candidates are granted eligibility to register for the Board Certification exam by the ABO, they can view seat availability, location availability and date options for any Prometric Test Center at www.prometric.com/abopt.
2. Candidates register for the exam through the ABO website, www.americanboardofoptometry.org, by signing in and clicking on the Register button in his or her portal. Once payment is submitted, the candidate will be directed to the Prometric website to choose an exam location and date.
3. For any rescheduling or other issues relevant to taking the exam, the candidate must contact Prometric. Those wishing to cancel an examination should contact the ABO.

10.3 Americans with Disabilities Act Accommodations

Policy:

The ABO and its Board Certification exam meet all requirements of the Americans with Disabilities Act. Candidates can refer to the Candidate Guide for more information.

Procedure:

1. The ABO partners with Prometric to ensure the Board Certification exam is compliant with ADA requirements.
2. During registration, the candidate also must contact the ABO for a release of information form relative to an accommodations request. Documentation submitted in support of a request may be referred by the ABO to

experts in the appropriate area of disability for a fair and impartial professional review. Recent documentation of disability is required.

3. Prometric has its own policies and procedures regarding ADA accommodations that ensure the candidate can take the exam to the best of his or her ability. The ABO will contact Prometric to set up reasonable accommodations for the candidate.

10.4 Language Requirements

Policy:

The ABO Board Certification Examination is offered only in English.

10.5 Score Reports

Policy:

The ABO partners with Authentic Testing to develop its Board Certification exams. Authentic Testing utilizes industry-standard psychometric methods to develop and score each exam.

Procedure:

1. After Authentic Testing completes scoring, results are sent to the ABO.
2. The ABO notifies candidates of their score and pass/fail status through a written letter sent by U.S. mail.
3. Candidates who pass the Board Certification become ABO Diplomates and will receive correspondence which includes a copy of *Guidelines for the Diplomate*. Certificates are issued within 8 weeks of the receipt of the score reports.
4. Scores are not released over the phone.
5. Scores are not released to anyone but the candidate unless express written consent has been given.

10.6 Retesting

Policy:

If candidates do not pass the Board Certification exam, the exam may be retaken by completing the necessary requirements, also outlined in the Candidate Guide.

Procedure:

1. Active Candidate status is valid for up to three years from the application submission date. Once Post-Graduate Requirements are complete, the candidate may take the Board Certification exam as many times as is necessary within this time frame.
2. Active candidate status may be renewed for up to three years total by submitting proof of completion of 50 points toward the Post-Graduate requirements for each year of eligibility.
3. Full registration fees are charged for each exam. Exceptions to this may be made at the discretion of the Board.

10.7 Appeal of Board Certification Decisions

Policy:

The ABO strives to provide a fair certification process, from submitting an application to awarding of Diplomate status and participation in maintenance of certification, to recertification. Participants at any stage in the process (applicants, candidates, Diplomates) may choose to appeal an adverse decision. This appeals procedure pertains to all decisions regarding eligibility, testing, certification, maintenance of certification, and recertification.

Procedure:

1. Complaints must be received in writing (letter or email). The ABO's Executive Director will acknowledge receipt of the complaint within 3 days, and inform the complainant of the appeal procedure.
2. The ABO convenes a Review Committee composed of at least two Directors and the Executive Director, and designates a Director to act as an investigator. This person will contact all parties who may have pertinent information, including the appropriate ABO staff, and will attempt to learn as much about the complaint as possible. The complainant will be given the opportunity to provide additional information if needed, and must respond to requests for information within 7 days.
3. The Review Committee must make a final decision within 60 days of receipt of the complaint. The decision must be in writing and include a rationale for the decision.
4. If the complainant disagrees with the final decision of the Review Committee, he/she may make a formal written appeal within 30 days and request a formal hearing. In this instance, the procedure outlined in Section 9.3 will be followed.

10.8 Invalidating Board Certification

Policy:

A Diplomate may lose Board Certification for several reasons including, but not limited to, fraudulently acquiring the certification, falsifying records, refusal to participate in the Maintenance of Certification program and misuse of the ABO Diplomate title and logo.

Procedure:

1. Once the ABO becomes aware of a Diplomate's alleged infraction, the Executive Director will investigate, as described in Section 9.2.
2. If the Executive Director decides that a violation has been made, the procedures outlined in Section 9.3 will be followed.
3. If the Judicial and Ethics Review Committee decides that a violation has been made and disciplinary action includes the invalidation of certification, the ABO staff removes said person from all public and private Diplomate lists and databases.

Category 11 Diplomat Guidelines

11.1 Maintenance of Certification

Policy:

The ABO requires all Diplomates to participate in Maintenance of Certification (“MOC”), a four-part program for continuing competence and lifelong learning, based on a model developed by the American Board of Medical Specialties. MOC requirements are outlined in both the Candidate Guide and on the ABO website (www.americanboardofoptometry.org).

Procedure:

1. The Maintenance of Certification program is a 10-year cycle consisting of four components:
 - a. Possession of a valid therapeutic license
 - b. Continuing education and Self-Assessment Modules (SAMs)
 - c. Passing of a validated computer-based patient assessment and management examination
 - d. Performance in Practice Modules (PPMs)
2. The 10-year MOC cycle is divided into three 3-year stages and one re-certification year.
3. In each stage, Diplomates must meet requirements by completing the following:
 - a. Two Self-Assessment Modules
 - b. One Performance in Practice Module
 - c. One hundred total points from Continuing Education (“CE”) activities
4. CE is split into Category 1 and Category 2. A minimum of fifty percent of the 100 required CE points must come from Category 1. Details regarding point values and the types of CE that qualify for each category can be found in the Requirements section of the ABO website as well as on each individual Learning Plan page when logged in through the Diplomat portal. Only CE approved by the ABO will count toward the MOC requirement.
5. Each MOC Year begins on January 1. All Diplomates will begin their MOC in the calendar year following their exam year.
6. The annual Maintenance of Certification fee is \$195 and is payable during the first quarter.

11.2 Use of Logo and Title

Policy:

The ABO logo is a registered trademark of the American Board of Optometry and may be used by Diplomates who adhere to the following guidelines. The same restrictions apply to the title of “Diplomate, American Board of Optometry”, “Board Certified, American Board of Optometry” and “Certified, American Board of Optometry.” These standards are communicated to Diplomates when they are notified of their Diplomat status and again with the delivery of their formal certificate.

Procedure:

1. Title and logo can *only* be used by Diplomates in good standing.
2. *Cannot* be abbreviated or used as an abbreviation after a Diplomat’s name as a university degree is used.
3. Can be used only to the extent permitted by law.
4. *Cannot* be used in a way that suggests the ABO approves or disapproves of a particular service, product, treatment modality or procedure.
5. *Cannot* be used in a misleading or fraudulent manner, or to deceive the public.
6. Logo is a trademark and must be used in its entirety; it cannot be distorted, merged or assimilated with any other design or trademark.
7. Logo can be reproduced only in (1) its original color scheme; (2) all white; or (3) all black.
8. Approved designations of the ABO Diplomat title include the following. The title is not to be used in any other way.

- a. Diplomate, American Board of Optometry
- b. Board Certified, American Board of Optometry
- c. Certified, American Board of Optometry

Category 12 Policy and Procedure Review

12.1 Annual Document Review

Policy:

An annual review of the Policies and Procedures Manual is conducted to determine 1) adherence to the current policies and procedures over the past year, and 2) if revisions or additions are necessary.

Procedure:

Thirty to 60 days prior to the annual Board of Directors meeting, the Chair of the Board will designate Directors to oversee the review of specific sections of the manual. The designated Director will coordinate with the appropriate staff member to conduct the review, and each Director will submit a report to the Chair no later than 7 days prior to the annual meeting. Recommendations for revisions or additions to the manual will be presented and discussed at the annual meeting during committee reports.