



## **EXAMINER CERTIFICATION PROGRAM (ECP)\***

# **Participant Handbook for Candidates and Supervisors**

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\*The CSBS Examiner Certification Program conforms to the relevant clauses of Standard 17024:2012 established by the American National Standards Institute (ANSI) for credentialing entities.

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## I. Introduction

The CSBS Examiner Certification Program (ECP) was established more than twenty-five years ago and is administered by CSBS staff and the Certification Committee (Committee) under the auspices of the CSBS Education Foundation Board of Trustees. The Committee has developed this participant handbook, along with the candidate and supervisor agreements and related information contained in the Appendix hereto, in order that the ECP may conform to the Clauses 4-10 of the American National Standards Institute (ANSI) Standard 17024:2012 for credentialing entities.

This handbook summarizes the key aspects of the ECP and is intended to help participants understand how the program is governed, its policies and procedures, and the steps to earning and maintaining an ECP credential. The handbook is intended to be a useful reference and may not address every potential question or policy detail. It is a supplement to the information found at the ECP website (<https://www.csbs.org/DEVELOPMENT/EFSBS/Pages/default.aspx>) and information provided by the ECP staff (202-728-5710; [certification@csbs.org](mailto:certification@csbs.org)).

## II. General Requirements (ANSI Standard 17024:2012, Clause 4.0)

### A. Certification Mission and Vision

The Committee is responsible for developing, implementing, and monitoring the ECP. The ECP is intended to serve CSBS's long-standing mission of enhancing examiner professionalism by encouraging members to engage in ongoing training through its rigorous core and continuing education requirements.

*Any state examiner who wishes to participate in the ECP must be willing and able to engage in continuing education (CE) to maintain any certifications awarded through the application process. Potential applicants should give due consideration to their ability in this respect and consult with their supervisors and respective training departments before seeking certification under the ECP. Additionally, program participants agree to random audits of CE submissions.*

### B. Guidelines for Development of New Credentials

The Committee undertakes, from time to time, the development of a new credential to address the needs of the state regulator community. Depending upon the urgency expressed by the parties, development of a new credential may take from 30 days to one year. If necessary, subject matter expert(s) will be assembled to develop the areas of expertise, on-the-job experience, training, and specific areas used as a basis for supervisor ratings.

### C. Incorporation of New/Revised Standards

From time to time, regulatory changes may necessitate corresponding changes in credential requirements. The Committee and CSBS staff will make every attempt to address these requirements within six months of the release of the subject legislative and/or regulatory action.

## D. Certification Decisions

### 1. Policy

The certification application requires key demographic information to ensure traceability in the event of an appeal or complaint, and it shall request information related to all eligibility criteria and requirements for certification to enable the Committee to reach a final decision.

The Committee is responsible for the decisions for certifying, maintaining certification, recertification, suspending, and withdrawing certification. The decision regarding certification shall be made strictly based on the eligibility criteria and requirements for certification.

The decision regarding certification of a candidate shall be made solely by the Committee and CSBS staff based on the information gathered during the application process. The decision on certification shall be executed by CSBS staff on behalf of the Committee.

The Committee shall provide a certificate signed by the chairman of the CSBS Education Foundation Board of Trustees and the Committee chairman. The Committee shall maintain sole ownership of the certificate granted.

### 2. Procedure

The following combination of demographic information helps ensure traceability of these unique records in the event of an appeal or a complaint: name, email address, date of application, mailing address, and telephone number. Furthermore, prior to application, applicants are assigned a unique identification number which is associated with their application. This demographic information and unique identification number are stored in perpetuity in the ECP database.

Certificates shall contain the following information: the name of the certified person, a unique identification number, the CSBS Education Foundation logo, the name of the credential for which the applicant is approved, the effective date of certification, and the date of expiration of certification. The certificate shall reduce the risk of counterfeiting by including an embossed seal of the CSBS Education Foundation.

## E. Impartiality Statement

The Committee is the entity responsible for certification activities. Any reference herein to the Committee relates to those activities.

The Committee and CSBS staff understands the importance of impartiality in undertaking certification activities.

The Committee and CSBS staff will therefore remain impartial in all its dealings with applicants, supervisors, employees, or other personnel. To that end, the following principles have been established:

- Certification certificates are only issued following a review by an authorized and competent member of the certification team.
- The Committee does not own or have any interest (financial or otherwise) in any other company that offers certification.
- Any potential conflict of interest is required by the Committee to be declared using the form at Appendix Tab F. The Committee will use such a declaration to identify any possibility of impartiality and will not allow the individual making the declaration to serve in any capacity unless it can be demonstrated that there is no conflict of interest. The assessment will be undertaken by an ad hoc working group assembled from the membership of the Committee.
- All certification program staff will be reviewed annually to affirm their impartiality.
- All parties involved in the certification process will not be pressured or influenced in any way to reach a particular conclusion regarding the result of a review and/or audit.

F. Conflict of Interest, Confidentiality, and Non-Disclosure Statement

1. Conflict of Interest

*Definition: A conflict of interest occurs whenever an individual has a direct or indirect interest, financial or otherwise, in the outcome of any matter concerning certification. A conflict of interest also occurs whenever an individual has a relationship with other parties to the certification matter such that the judgment of the individual may be affected.*

- a. All members of the Committee, working groups, consultants, and certification staff are required to sign a disclosure statement of potential conflict of interest as defined in this statement.
- b. If a conflict of interest arises in connection with certification activities, the conflict should be disclosed to the other members of the Committee and the individual should abstain from voting on the matter at issue.
- c. No Committee member or CSBS certification staff may participate in any activity, either as a volunteer or for pay, in which there may be a conflict of interest with his/her activities or responsibilities related to certification program matters.

- d. Members of the Committee are eligible to apply for an initial certification or for upgrade to an existing certification. A member applying for initial certification or an upgrade to an existing certification will abstain from voting on such an application.

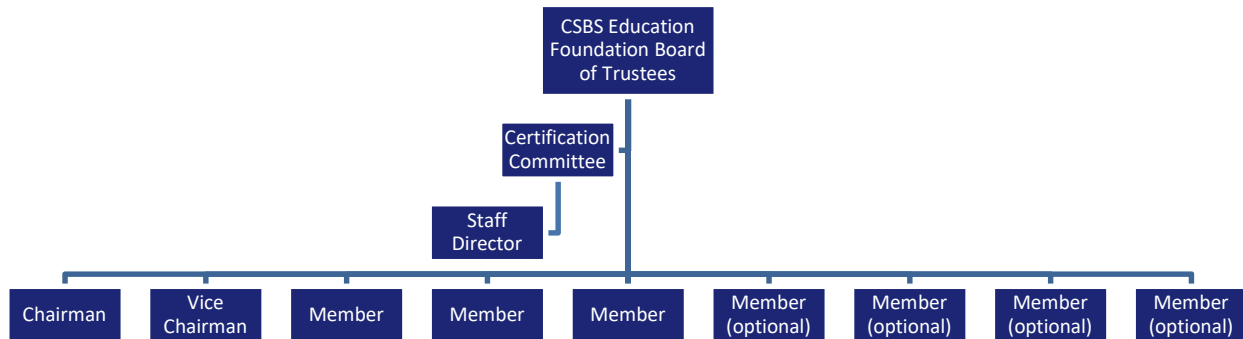
2. Confidentiality and Non-Disclosure

*Definition: All information relating to an individual’s application is confidential. In addition, the complaints- and waiver-handling process shall be subject to confidentiality requirements.*

- a. All Committee members, working groups, consultants, and certification staff are required to sign a Confidentiality Policy acceptance form annually.
- b. Subject Matter Experts (SMEs) who volunteer to assist the Committee and CSBS certification staff in the development of new credentials, or instituting changes to existing credentials, shall be required to sign a Conflict of Interest and Confidentiality Policy acceptance form prior to beginning work on the development project for which they have volunteered.
- c. Confidential information as defined in this document may be disclosed only with the permission of the Committee chair or upon approval of CSBS legal counsel.

**III. Structural Requirements (ANSI Standard 17024:2012, Clause 5.0)**

A. Certification Committee Organizational Chart



## B. Certification Committee Scope, Duties, and Responsibilities

### 1. Scope

- a. The ECP is administered under the auspices of the CSBS Education Foundation Board of Trustees (hereinafter “the Board”). The Board shall appoint a committee to oversee all aspects of the Certification Program, including its development, format, content, procedures, and revisions. The Certification Committee (hereinafter “the Committee”) shall consist of no fewer than five and no more than nine members, including a Chairman and Vice-Chairman. All Committee members are selected by the Board; the Chairman and Vice-Chairman are named by the Chairman of the CSBS Board of Directors. The Committee is empowered to make all final certification decisions, subject to the approval of the Board.
- b. The Committee makes all final decisions regarding the requirements of certification credentials offered under the ECP. The Committee may delegate authority to staff to award certification consistent with ECP requirements and to take other action in furtherance of the ECP’s strategic goals.
- c. The Committee Charter is incorporated by reference into this Handbook and may be found in the Appendix at Tab B.

### 2. Duties and Responsibilities

The Committee will:

- a. Develop and implement credentials in response to CSBS membership requests, and/or regulatory or legislative developments;
- b. Seek potential subject matter experts (SMEs) to provide assistance, feedback, and/or insight into the development and implementation of a credential;
- c. Review, from time to time, the maintenance, eligibility, prerequisites, and renewal requirements for each credential in order to make any necessary modifications;
- d. Review, for approval, requests that are submitted for a waiver of credential requirements;
- e. Review, from time to time, the fee schedule for applications, recertification, upgrades, and multiple certifications, to determine the fairness and/or appropriateness of each;
- f. Work with the Staff Director to develop new, and/or review and modify existing, operational and administrative procedures;

- g. Ensure that all applicant records, whether for certification or renewal, are maintained in perpetuity; and
    - h. Ensure that the names of all currently credentialed individuals are available to the public.
  - C. Certification Committee Member Duties and Responsibilities
    - 1. Committee members shall:
      - a. Fully participate in all assigned activities and complete assignments by a designated deadline, if applicable.
      - b. Attend all committee meetings.
      - c. Seek reimbursement for travel or other expenses related to ECP work in a timely manner.
  - D. Working Groups and Subject Matter Experts (SMEs) Duties and Responsibilities
    - 1. As it deems appropriate, the Committee will create a working group for a given credential, which will be recruited from the ECP membership and other interested parties.
    - 2. A working group should consist of at least two SMEs. However, when necessary and appropriate, a single SME may serve as the technical advisor to the Committee for limited purposes.
    - 3. A working group should provide broad overall insight and specific guidance as to the requirements of a new credential, or the changes required to existing credentials warranted by the changing regulatory landscape.
    - 4. An individual SME is required to commit to the stated objective(s) of the working group or limited purpose as stated in III.D.2 above for a minimum of three and not more than 18 months.

#### **IV. Resource Requirements (ANSI Standard 17024:2012, Clause 6.0)**

- A. General Personnel
  - 1. The daily administrative and managerial tasks of the ECP are the responsibility of the Staff Director and the Senior Administrative Assistant assigned to the Staff Director's division, both of whom are employees of the Conference of State Bank Supervisors.
  - 2. The Staff Director and Senior Administrative Assistant must sign the Conflict of Interest, Confidentiality, and Non-Disclosure Policy Acceptance Form annually and abide at all times by its terms.



**B. Consent for Release of Confidential Information**

ECP participants may authorize the Committee and/or Staff Director to release otherwise confidential certification information to one or more people whom they designate. Consent to release confidential certification information may be withdrawn at any time except insofar as action has already been taken in reliance thereupon.

ECP participants must authorize the Committee and/or Staff Director *in writing* to release otherwise confidential information pertaining to a certification. The period during which the Committee and/or Staff Director may communicate with the designated parties must be indicated in the written request.

Such confidential information may be released for the following purposes: employment opportunities, academic opportunities, legal matters, or some other reason.

**C. Third-party Contractors**

When for purposes of efficiency, cost savings, and/or expertise the ECP outsources work related to certification, such outsourcing is undertaken by and is the full responsibility of the Staff Director, the Staff Director's supervisor, and the CSBS Education Foundation. Through a rigorous Request for Proposals (RFP) or other vetting process, these entities ensure the competency of the individual or body conducting the outsourced work. These entities shall:

1. monitor and assess annually the performance of third-party contractors conducting outsourced work;
2. maintain records demonstrating that the third-party contractors continue to meet all requirements encompassed in the initiating RFP or other vetting process; and,
3. maintain a complete list of all third-party contractors performing work on behalf of the ECP.

**V. Records and Information Requirements (ANSI Standard 17024:2012, Clause 7.0)**

**A. Records Maintenance and Retention Policy**

The Certification Committee shall maintain all records relating to a certification application as a means to confirm the status of a certified person. The records shall demonstrate that the certification or recertification process has been effectively fulfilled, particularly with respect to application forms, eligibility criteria, assessment records, and other documents relating to granting, maintaining, expanding, reducing the scope of, and suspending or withdrawing, certification. Recertification documents also should demonstrate effective fulfillment of process.

The records shall be identified, managed, and disposed of in such a way as to ensure the integrity of the process and the confidentiality of the information. All documents relating to a certification application shall be maintained indefinitely. It is the responsibility of applicants and certified persons to provide current contact information, including email, telephone number, mailing address, and employer to CSBS staff.

Certified individuals are required to inform the Committee and CSBS staff, without delay, of matters that can affect the individual's capability to continue to fulfill the certification requirements, or risk suspension or withdrawal of certification.

## 1. Application

- a. Applicants must submit a completed certification application. Paper applications will be converted to a PDF, and the paper version will be destroyed as soon as is feasible by CSBS staff.
- b. CSBS staff reviews online applications at the ECP Salesforce site and electronic applications received via email, and when necessary, converts electronic applications to PDF format for distribution to accounting staff and/or the Committee.
- c. Once an application has passed review by the CSBS staff, the applicant's supervisor is notified of the results by email. The supervisor is responsible for communicating the results to the applicant pursuant to the agency's established guidelines. Within fourteen (14) days, a formal printed certificate is sent by regular U.S. mail to the supervisor for presentation to the applicant.
- d. CSBS staff updates the database with the application results. If the application is successful, the approval and recertification dates are added to the database. If unsuccessful, the denial date is added to the database.
- e. Application fees must be paid within one (1) year of issuance of invoice.

## 2. Recertification

- a. Certified persons must submit continuing education hours (CEHs) as set forth in Appendix Tab D in order to be recertified at the conclusion of each three-year certification term. CEHs must have been earned during the certification period as outlined in the requirements referred to in Appendix Tab D.
- b. By submitting required CEHs, the certified individual affirms that he/she continues to meet the standards of the credential. Any changes in the certified person's employment or work status must be reported immediately to CSBS staff. Failure to comply with this requirement may result in suspension or revocation of certification.

- c. CSBS staff reviews CEHs submitted online at the ECP Salesforce site and electronic applications received via email. When necessary, CSBS staff will convert an electronic CEH submission form to Portable Document Format (PDF) for distribution to the Committee. Paper CEH submission forms will be converted to PDF and the paper version destroyed as soon as is feasible.
- d. Certification fees must be paid within one (1) year of issuance of invoice.
- e. Upon CSBS staff review of the CEH submission confirming that eligibility criteria to recertify have been met, the certified person's record is updated to reflect the new date of expiration.
- f. Within two (2) weeks of recertification, a certificate containing the new date of expiration will be mailed to the certified person.

3. Public Information

CSBS certification staff and the Certification Committee shall verify and provide information, upon request, as to whether an individual holds a current and/or prior, valid certification and the scope of that certification.

**VI. Certification Schemes (ANSI Standard 17024:2012, Clause 8.0)**

A. Scope and Purpose of Credentials

The scope and purpose of each ECP credential, as well as the required competencies, are described fully in the requirements documents found at the links provided in the Appendix at Tab E, as well as within the application for each credential. Certification is awarded to individuals who exemplify the standards set forth in these documents: those who demonstrate superior technical competency in their field of examination and a desire to expand their knowledge and abilities through continuing education.

As stated in Section II.A. herein, the ECP is intended to serve CSBS's long-standing mission of enhancing examiner professionalism by encouraging members to engage in ongoing training through its rigorous core and continuing education (CE) requirements. CE requirements are strictly enforced to ensure that this critical goal is met.

B. Subject matter experts: selection and demographics

The Committee may engage the services of subject matter experts (SMEs) to assist in the development of rigorous standards for new credentials, and in the ongoing and regular review of requirements for existing credentials. The Committee will seek candidates from the widest possible demographic and geographic areas. Once selected, permission from the direct supervisor of the potential SME will be secured before asking the candidate to serve as an SME.

## VII. Certification Process Requirements (ANSI Standard 17024:2012, Clause 9.0)

### A. Assessment Process

Unlike many certification programs, the ECP does not administer an examination as a component of the application process. Rather, the ECP relies on strict adherence to the three core requirements of all its credentials: (1) on-the-job service, (2) completion of core education, and (3) supervisory recommendations. Additionally, completion of a minimum number of field examinations is required for several credentials. Lastly, a candidate must be able to demonstrate the ability to meet the continuing education requirements for recertification.

The Certification Committee delegates authority to CSBS staff to award certification with program requirements. If an application is received by CSBS staff that deviates in any way from a credential's core requirements, staff will request that the applicant initiate the waiver process below if he/she elects to proceed.

A waiver is undertaken by the Committee upon the request of the candidate, with the approval of his/her supervisor. A statement in support of a waiver must be provided to the Committee, which takes into consideration all aspects of the application and any special circumstances set forth by the applicant. In most cases, the Committee will deliver a decision to the applicant and his/her supervisor within fourteen (14) days of the waiver request. The Committee will grant a waiver when the applicant demonstrates that he/she fulfills the credential requirements through alternative education and/or industry or federal regulator on-the-job experience. A simple majority of Committee members must vote in the affirmative to grant an application waiver.

No individual shall be deprived of the opportunity to apply for ECP certification by reason of a disability. All disabilities shall be verified and accommodated where possible as long as the accommodation does not fundamentally alter the process by which the knowledge and experience of the applicant is measured.

Periodic review of credential requirements will be conducted; any changes will be made publicly accessible, and will be communicated directly to participants and pending applicants, both of whom must fulfill any new requirements instituted resulting from these periodic reviews.

### B. Guidelines for Denial, Suspension, and/or Revocation of Certification

Misrepresentation of a candidate's experience and education and noncompliance with eligibility criteria for certification and/or recertification constitute serious ethical issues that may result in investigation and disciplinary action.

Cause for denial, suspension, or revocation of certification includes, but is not limited to:

1. Falsification of information on the certification application
2. Misrepresentation of continuing education hours submitted for purposes of recertification
3. Falsification of any information requested by the Committee in response to a waiver request

4. Misrepresentation of certification status
5. Change in employment status
6. Inability to meet continuing education requirements
7. Failure to pay certification fees

In any investigation of alleged misconduct, misrepresentation, and/or noncompliance, an objective review process is conducted in which evidence substantiating the allegations is collected to provide due process and to protect the rights of candidates and/or certified persons.

When CSBS staff or the Committee finds a certified person to be in non-compliance with certification criteria or other policies, the Committee may ask the certified person to show cause why certification should not be revoked. In such cases, the burden of proof will be on the certified person to demonstrate why certification should not be revoked.

C. Recertification

Recertification is granted when two conditions are met:

1. The certified person has met the continuing education requirements, and
2. All outstanding certification fees have been paid.

Any pending disciplinary actions will delay recertification until such actions are resolved.

*Continuing Education:*

The three-year certification maintenance cycle was selected to ensure that certified persons participate in continued learning and professional development activities. The continuing education requirement promotes involvement in leadership, learning, and service activities. Continuing education should be selected with the goal of maintaining, improving, or expanding the examiner's knowledge, skills, and abilities. This requirement will not be waived unless it poses an undue hardship on an individual due to a disability or a similar barrier. All approved continuing education hours must be submitted to CSBS staff by mail or through the online portal within ninety (90) days of the certified person's recertification date.

*Certification Fees:*

Upon approval of an application, an examiner or the examiner's department is billed a one-time application fee of \$20. At the next billing cycle for the individual or department, the annual \$75 certification fee is billed for each credential held. All certification fees should be paid within ninety (90) days of issuance of the invoice.

D. Use of Certificates, Logos, and Designation

Certification applicants and certified persons agree to comply with the following provisions related to the use of certificates, logos, and designation relating to the ECP:

1. To make claims regarding certification only with the respect to the scope for which the certification has been granted.
2. Not to use the certification in such a manner as to bring CSBS, the CSBS Education Foundation, the ECP, or the Committee into disrepute, and not to make any statement regarding the certification which the Committee considers misleading or unauthorized.
3. Upon suspension or withdrawal of certification, to discontinue the use of all claims to certification that contain any reference to CSBS, the CSBS Education Foundation, the ECP, or the Committee, and to return any certificates issued.
4. Upon suspension or withdrawal of certification, to discontinue the use of any designation that refers to CSBS, the CSBS Education Foundation, the ECP, or the Committee, or any ECP certification.

The Committee reserves the right to address, by means of corrective measures, any misuse of its certification mark, logo, or designation. If an initial written request to cease misuse of a certification mark, logo, or designation is not adhered to, the Committee reserves the right to initiate a formal complaint under the ECP complaint process.

E. Appeals and Complaints

*Appeals:*

In the event of a decision by the Certification Committee resulting in the denial of an initial certification (or recertification), termination of certification, or the placement of an individual on probation, the individual may appeal the decision.

Only the individual shall have the right of appeal. No other party shall be considered to have standing to pursue an appeal. The basis for this appeal must be that the Committee acted with alleged bias, departed from stated procedures, made a serious factual error, failed to consider all significant evidence, or rendered a decision that is arbitrary and capricious.

Should the individual appeal, the following procedures will be initiated:

1. Not later than thirty days from the date of notification of a negative action, the individual shall notify the Committee Chairman in writing of his/her intention to petition for review of the action, and not later than sixty days from the same date he/she shall submit written documentation supporting such petition.
2. The Committee shall then have sixty days to consider the petition for review of the action. If, in the Committee's review of the petition, a second decision is rendered that is unsatisfactory to the individual, then the individual shall have the right to request the appointment of an Appellate Committee for further review. The individual shall have thirty days to request the appointment of an Appellate Committee.

3. If an individual requests further review, the Committee Chairman and the appealing individual shall appoint an Appellate Committee comprising three persons who have not participated in any way in the decision being appealed. These three individuals must have minimum qualifications the same as those required to have achieved the level of certification in question. The Committee shall maintain a roster of qualified candidates for the Appellate Committee\*.
4. The Committee Chairman will appoint one member, the individual will appoint another, and the third member shall be jointly selected by the two appointed Appellate Committee members. If the two appointed Appellate Committee members cannot agree on the third member, he/she shall be chosen by drawing from the roster.
5. The Appellate Committee shall receive from the individual making the appeal, within thirty days, written material detailing the appeal and from the Committee, a written response to the appeal.
6. The Appellate Committee shall have thirty days to affirm or reverse the Committee's decision, giving reasons in writing in either case.
7. The Appellate Committee decision shall be final. This decision is not reviewed by the CSBS Education Foundation Board of Trustees, the CSBS Board of Directors, or any other body. The Appellate Committee's final decision shall become effective immediately upon notification made to the individual requesting the appeal.
8. The certification status of any individual shall remain unchanged during the appeal and there shall be no public notice of an adverse action until the appeal is completed and a final determination on the matter is reached.

\*Note: Volunteers shall be sought for service on appellate Committees (*i.e.*, certified individuals will be asked if they would be willing to be placed on the Appellate Committee roster).

#### *Complaints:*

The Committee shall receive, evaluate, and make decisions on complaints in a constructive, impartial, and timely manner that treats all parties fairly and equitably. The complaints-handling process shall be publicly accessible without request. Only personnel not previously involved in the subject of the complaint may be engaged in the complaints-handling process. The complainant must send to the Committee a written complaint and all relevant supporting documentation. The Committee shall acknowledge receipt of the complaint and if applicable, may request additional information from the complainant.

The Committee will conduct a review of the complaint and all supporting documentation and reach a decision on the merits of the complaint within sixty (60) days. The Committee's decision is final and binding on all parties involved, as are any corrective actions taken in response to the complaint.

## VIII. Management System Requirements (ANSI Standard 17024:2012, Clause 10.0)

### A. Document and Record Control

Internal and external documents and records shall be controlled to ensure that they are stored in the appropriate location and accessed and used by the appropriate individuals. Additionally, CSBS staff will ensure that all certification documentation is current, and that revisions to documentation are made and approved by the appropriate stakeholders.

1. The ECP uses the Salesforce technology platform to manage the online application and continuing education (CE) submission processes. Access to this platform is limited to:
  - a. Applicants, supervisors, and state training directors/coordinators
  - b. the ECP program manager,
  - c. the ECP administrative assistant,
  - d. the CSBS Salesforce IT team, and
  - e. any contract employees assisting the CSBS Salesforce IT team.
2. Invoicing and payments are processed in iMIS, CSBS's association management software. Access to iMIS's certification module is limited to ECP and accounting staff.
3. Applications and CE submissions received by email are stored on a secure server. Access to the certification files contain on the server is limited to ECP staff. All files will be maintained on the secure server for ten (10) years.
4. Paper applications and CE submissions will be scanned and stored on the secure server. The paper versions will be destroyed as soon as possible after scanning and storing is complete.
5. All internal documents relating to certification processes will be stored on a secure drive and access to this drive will be limited to ECP staff.
6. All those with access to external and/or internal documents will be subjected to the confidentiality and NDA processes outlined in section I.F.1. herein.

### B. Internal Audit Function

Each year, the ECP will be subject to an internal audit function to analyze and assess potential risks to the program's objectives. The complete process overview is appended to this document at Tab H.

The internal audit function will focus on the following processes:

- Application and continuing education updates, whether submitted using the online portal or more traditional methods (*e.g.*, regular mail, email, fax)
- Decision-making process
- Waiver process



The function will evaluate information related to the following:

- Feedback from applicants, candidates, certified persons, and interested parties
- Safeguarding impartiality
- Status of outstanding preventive and corrective actions
- Follow-up actions from previous management reviews
- Fulfillment of program objectives
- Changes that could affect the ECP or its management system
- Appeals and complaints

This information will be collected on a regular basis throughout the audit period so that the audit team has a representative amount of data on which to base its conclusions.

C. Corrective actions

The Certification Committee shall identify nonconformities in its operations and take corrective action appropriate to the impact of the problems encountered in order to reach its strategic goals and in keeping with its mission statement.

The nonconformities may be identified during the internal audit function or throughout the intervening years. Once identified, the following actions should take place in a timely manner:

- Evaluate the need for action to correct the nonconformity
- Determine and implement the action needed
- Record the results of the action(s) taken
- Evaluate the effectiveness of correction action(s) taken

D. Preventive actions

The Certification Committee shall identify nonconformities in its processes and operations and take preventive actions to eliminate the causes of these nonconformities. Preventive actions taken shall be appropriate to the impact of the nonconformity.

The nonconformities may be identified during an internal audit or throughout the intervening years. Once identified, the following actions should take place in a timely manner:

- Determine the cause of the nonconformity
- Evaluate the need for action to prevent the reoccurrence of the nonconformity
- Determine and implement the action(s) needed
- Record the results of the action(s) taken
- Evaluate the effectiveness of the preventive action

**IX. Appendix**

Tab A: Strategic decisions

Tab B: Certification Committee roster and charter

Tab C: List of credentials currently offered; credentials under development

Tab D: Recertification/Continuing Education Requirements

Tab E: Candidate/Supervisor Agreements

Tab F: Conflicts of Interest, Confidentiality, and Nondisclosure Acceptance Form

Tab G: Administrative Action Procedures

Tab H: Internal Audit Function Process Plan



## APPENDIX

### Tab A – Recent Strategic Decisions

- January 2015: To improve the quality and viability of the ECP, a third party auditor was engaged to compare the program to similar accredited programs and to ANSI's standard 17024 for credentialing entities, draw conclusions, and suggest opportunities for improvement.
- July 2016: To recognize the specialized skillsets of examiners regulating in the areas of cybersecurity and capital markets, credentials were developed and made available in 2016.
- September 2016: Upon retirement of two Certification Committee members, the CSBS Education Foundation Board of Trustees appointed six new members to the Committee: Nelson Cook, Marilyn Davis, Heather Ensminger, Mike Enzbrenner, Marty Lamb, and Charles Martier.
- January 2017: The Certification Committee will investigate the need for expansion of the Certified Consumer Compliance Specialist credential to recognize specialized skillsets of CRA and fair lending-focused examiners.
- August 2017: The CSBS Education Foundation Board of Trustees appointed new Certification Committee member Chris Ludwig, Consumer Division Supervisor in the North Dakota Department of Financial Institutions, to replace a member who retired in June.

All members of the ECP internal audit review team are in place: David Novotny, formerly deputy commissioner in Montana; Robert Lipot, formerly senior IT examiner in California, and Richard Plotkin, formerly Certified Examinations Manager and Training Director in Arkansas. Committee member Charles Martier (PA) will serve as liaison to the review team.

## APPENDIX

### Tab B – Certification Committee Roster and Charter

Chairman	Melanie Ford <small>CEM</small>	Director of Regulatory Training North Carolina Office of the Commissioner of Banks
Member	Chris Ludwig <small>CSME CMI</small>	Consumer Division Supervisor North Dakota Department of Financial Institutions
Member	Brenda Fanning <small>CSME</small>	Senior Compliance Examiner Wyoming Division of Banking
Member	Charles Martier <small>CISE</small>	Senior IT Examiner Pennsylvania Department of Banking and Securities
Member	Heather Ensminger <small>CEM</small>	Training Director Georgia Department of Banking and Finance
Member	Marilyn Davis <small>CSBE</small>	Financial Institutions Manager California Department of Business Oversight
Member	Martin Lamb <small>CSBE</small>	Examiner Iowa Division of Banking
Vice Chairman	Nelson Cook <small>CEM</small>	Banking Division Manager Alabama State Banking Department
Member	Mike Enzbrenner <small>CMEM</small>	Director of Examinations, Consumer & Mortgage Lending Kansas Office of the State Bank Commissioner
Staff Director	Rosemarie Shaheen	Senior Program Manager CSBS Education Foundation

## CERTIFICATION COMMITTEE CHARTER

The Certification Committee of the CSBS Education Foundation (referred to in this Charter as “CSBSEF”), shall be constituted and report to the CSBSEF Board of Trustees, and shall have the following objectives, functions, and operating policies.

### A. OBJECTIVES

The objective of the Certification Committee is to ensure that the Examiner Certification Program (referred to in this Charter as “the Program”) endeavors to meet the highest standards of a credentialing entity through rigorous oversight and regular review of and adjustment to its processes, procedures, and standards.

### B. FUNCTIONS

The functions of the Certification Committee are as follows:

1. To specify the conditions of delegated authority to the CSBS Staff Liaison to award certification consistent with the Program requirements;
2. To develop new designations or to amend existing designations to reflect evolving examination processes and organizational structures that vary from state to state;
3. To review applicant waiver requests, and approve or deny requests based on such review;
4. To defer decisions regarding certification or recertification and to provide applicant with the necessary guidance to correct deficiencies;
5. To terminate certification for an individual who has not complied with the criteria or policies of the Program;
6. To hear appeals of decisions on deferral, denial, and/or suspension of certification or recertification, and to issue a final decision.

### C. OPERATING POLICIES

The primary operating policies of the Certification Committee are as follows:

1. The Certification Committee shall be composed of at least five (5) and no more than nine (9) individuals who meet the following criteria: must be an employee of the banking or non-depository department of a state regulatory agency; and must be certified under the Program for a minimum of five years;
2. The Chair and Vice Chair of the Certification Committee shall be appointed by the Chairman of the CSBS Board of Directors, with advice and consent of the CSBS Board of Directors; the remaining members of the Certification Committee shall be appointed by the Chairman of the CSBSEF Board of Trustees, with advice and consent of the CSBSEF Board of Trustees. When making appointments, the Chairman of the CSBSEF Board of Trustees shall ensure appropriate geographic distribution according to the established CSBS Districts. All members of the Certification Committee may be removed, with or without cause, by action of the CSBSEF Board of Trustees;
3. The Immediate Past Chair of the Certification Committee shall serve a single one-year term;

4. The Vice Chair of the Certification Committee shall be appointed by the Chairman of the CSBSEF Board of Trustees, with advice and consent from the CSBSEF Board of Trustees. The Vice Chair shall not automatically become Chair when the Chair's term expires, since Committee Chairs, as voting members of the CSBSEF Board of Trustees, shall be appointed by the Chairman of the CSBS Board of Directors;
5. Only the current Chair of the Certification Committee shall be considered a voting member of the CSBSEF Board of Trustees;
6. Members of the Certification Committee, including its Chair, shall only serve on one CSBSEF Committee at a time;
7. If a Certification Committee member position shall become vacant, that term shall expire immediately, and a new Certification Committee member shall be appointed for a regular term;
8. Time served as Certification Committee Chair shall not count against time of service on the Board of Trustees;
9. Members of the Certification Committee shall serve an initial term of two (2) years and may be extended an additional two (2) years with the approval of the Chairman of the CSBSEF Board of Trustees;
10. The Certification Committee shall hold meetings as necessary to address issues that arise in the regular administration of the Program and shall endeavor to meet quarterly during the calendar year. The presence of a majority of the members then in office shall constitute a quorum for the transaction of business. Minutes of all Committee meetings shall be taken and approved at subsequent meetings;
11. The Certification Committee shall have the authority to appoint working groups and members of such working groups. Any subcommittee established shall require the approval of the CSBSEF Board of Trustees;
12. Except as otherwise specifically provided herein, the Certification Committee shall determine its rules of procedure;
13. From among the CSBS staff, the Staff Director reporting to the CSBSEF Board of Trustees shall designate, with advice and consent of the CSBS President & CEO or his designee, one or more Staff Liaisons to facilitate the activities of the Certification Committee and report to the CSBSEF Board of Trustees.

Approved by the CSBS Education Foundation Board of Trustees, on Tuesday, August 2, 2016.

## APPENDIX

### Tab C – Credentials Currently Offered

#### ***Bank Safety & Soundness Credentials:***

[Certified Operations Examiner \(COE\)](#)  
[Certified Credit Examiner \(CCE\)](#)  
[Certified Examiner-in-Charge \(CEIC\)](#)  
[Certified Senior Bank Examiner \(CSBE\)](#)  
[Certified Examinations Manager \(CEM\)](#)  
[Certified Large Institutions Examiner \(CLIE\)](#)

#### ***Mortgage Credentials:***

[Certified Mortgage Examiner \(CME\)](#)  
[Certified Senior Mortgage Examiner \(CSME\)](#)  
[Certified Multi-State Mortgage Examiner-in-Charge \(CMME\)](#)  
[Certified Mortgage Investigator \(CMI\)](#)  
[Certified Mortgage Examinations Manager \(CMEM\)](#)

#### ***Specialty Credentials:***

[Certified Trust Examiner \(CTE\)](#)  
[Certified Senior Trust Examiner \(CSTE\)](#)  
[Certified Money Service Business Examiner \(CMBE\)](#)  
[Certified Senior Money Service Business Examiner \(CSMBE\)](#)  
[Certified Consumer Compliance Specialist \(CCCS\)](#)  
[Associate Certified Information Systems Examiner \(ACISE\)](#)  
[Certified Information Systems Examiner \(CISE\)](#)  
[Certified Cyber Security Examiner \(CCSE\)](#)  
[Certified Anti-Money Laundering Specialist \(CAMLs\)](#)  
[Certified Capital Markets Examiner \(CCME\)](#)  
Certified Application Specialist (Levels I-III) ([CAS-I](#), [CAS-II](#), [CAS-III](#))

### Credentials Under Development

#### ***Specialty Credential:***

Certified Senior CRA/Fair Lending Examiner  
Certified Consumer Protection Examiner, Levels I-III (Level II replaces CCCS)

## APPENDIX

### Tab D - Continuing Education Requirement

Every three (3) years, participants will be required to provide evidence of the following:

- Successful completion of
  - a minimum of sixty-three (63) continuing education hours (CEHs) for all bank safety & soundness designations (COE, CCE, CEIC and CEM) and all Mortgage designations (CME, CSME, CMEM, CMME and CMI);
  - a minimum of forty (40) hours for all specialty designations (CAS [all levels], CAMLS, CTE, CSTE, CCCS, CCSE, CCME, and CMBE/CSMBE); and
  - at least seven (7) continuing education hours in each year.

Continuing education may be claimed beginning on the date of the applicant's approval letter. Therefore, training used to satisfy the core education requirement of a designation may not be submitted for continuing education credit. Continuing education should be selected with the goal of maintaining, improving, or expanding the examiner's knowledge, skills, and abilities.

Participants who earn more than the minimum required continuing education hours during a three-year certification period may carry forward up to fourteen (14) of the additional continuing education hours into the following three-year certification period (e.g., a participant earning 83 or more CEHs may carry forward 14 CEHs into the next three-year period).

CSBS training events will be awarded 1 CEH for each hour of "in-class" training. "In-class" training is exclusive of breaks and lunches unless there is training provided during the luncheon. Each year of attendance at graduate banking school is approved for 70 CEHs.

CEHs will be awarded for equivalent types of training by federal regulatory agencies. When submitting a request for CEH credit for an equivalent course/seminar that is not sponsored by CSBS, FDIC, FRB, or FFIEC, please document the request with a syllabus and/or description of the course/seminar including timeframes. Equivalent courses/seminars will be evaluated on a case-by-case basis. Other professional development programs and activities must have relevancy to the participant's employment.



## APPENDIX

### Tab E – Candidate/Supervisor Agreements

***(NOTE: ALL APPLICANTS AND SUPERVISORS MUST SIGN THE APPROPRIATE AGREEMENT AND SUBMIT TO THE CERTIFICATION PROGRAM MANAGER BEFORE STARTING THE APPLICATION PROCESS. THE AGREEMENTS ARE POSTED HERE FOR REFERENCE PURPOSES ONLY.)***

#### **Candidate Application Agreement**

This Candidate Application Agreement (hereinafter “Candidate Agreement”) contains important terms and conditions governing your ability to apply for certification under the CSBS Education Foundation Examiner Certification Program (hereinafter “ECP”). **Please read it carefully and if you agree to the terms and conditions herein, initial each page in the space provided, sign and date it on the last page, and return to CSBS (by email: [certification@csbs.org](mailto:certification@csbs.org); by mail: CSBS Examiner Certification Program, 1129 20<sup>th</sup> Street NW, Ninth Floor, Washington, DC 20036).** If you do not agree to the terms herein and provide a signed copy of this Candidate Agreement to CSBS, you will not be permitted to apply for certification under the ECP.

#### **CLAUSE 1: Application Process**

The ECP application process is a confidential one. The contents of an application, including attachments, are accessible only by those individuals who have a vested interest in the process and outcome: the applicant, the applicant’s supervisor, CSBS staff (including IT personnel), and in cases of waiver requests, the Certification Committee.

#### **CLAUSE 2: Recertification – Continuing Education**

Any state examiner who wishes to participate in the ECP must be willing and able to engage in continuing education (CE) to maintain any certifications awarded through the application process. Potential applicants should give due consideration to their ability in this respect and consult with their supervisors and respective training departments before seeking certification under the ECP. Additionally, program participants agree to random audits of CE submissions.

#### **CLAUSE 3: Behavior and Conduct of Parties to the Application Process**

You will not engage in any conduct that would be contrary to good character or reputation, or engage in any behavior that would cause the public to believe that you would not behave lawfully, honestly, or fairly in the execution of your duties.

Additionally, if you become aware of any improper conduct of certified persons, you agree to report such conduct to your supervisor, who will be responsible for notifying certification staff by sending details of the alleged infraction to [certification@csbs.org](mailto:certification@csbs.org).

You will not use falsified or altered certificates, score reports, or other documents or electronic media to misrepresent training or employment status.

**CLAUSE 4: Change in Employment Status**

Your application relies in part on employment at a stated level within your agency. Should your employment at the agency be terminated, should you be demoted, or should you become unable to competently perform the duties for which you are responsible at the time of approval, you agree to report any changes in status to your supervisor, who will be responsible for informing certification staff of such changes. If you have not completed one year of employment at the agency after certification is granted, your certification will be revoked. After one year of employment, you may apply to the Certification Committee to maintain your certification should you leave your agency. As a non-agency member, all other requirements will apply, including continuing education hours (CEHs) for recertification, and fees.

**CLAUSE 5: Change in Agency Guidelines**

Should your agency institute any policy, rule, regulation, guideline that may affect your capability to maintain your certification, particularly as it relates to your ability to participate in continuing education in order to meet the stated requirements, you are required to notify [certification@csbs.org](mailto:certification@csbs.org) without delay.

**CLAUSE 6: Possible Consequences of Violations of the Behavior and Conduct Clause**

If one or more conditions described in Clause 3 arise, the Certification Committee or its designated agents will review the applicant's certification status thoroughly. The results of such review may be reported to an applicant's supervisor and/or to the agency employing the applicant. The findings of the review may subject an applicant to denial or revocation of certification.

**CLAUSE 7: Breach of Candidate Agreement**

Any violation of this Candidate Agreement could subject you to significant consequences, including but not limited to:

- Denial of access to the application process;
- Invalidation of an application;
- Revocation of existing certification credentials;
- Opening of an investigation into the alleged violation;
- Reporting of the alleged violation, and /or the factual findings of any investigation of the alleged violation, to the applicant, the applicant's supervisor, and/or the applicant's and/or supervisor's employer.

If you are alleged to have violated this Candidate Agreement, the matter will be investigated in accordance with the Administrative Action Procedures. These procedures may be found at appendix tab F of the ECP participant handbook. They may be amended or revised from time to time, and any investigation of conduct will be governed by the procedures in place at the time that you submitted your application for review by CSBS.

Please indicate your acceptance of the terms of this Candidate Agreement by entering your first and last name below, placing your signature and the date in the spaces provided, and sending the executed original to [certification@csbs.org](mailto:certification@csbs.org).

Print first and last names: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_



## **Supervisor Agreement** **Regarding Certification Applications**

This Supervisor Agreement (hereinafter “Agreement”) contains important terms and conditions governing your ability to provide ratings, attestation, and narrative support for certification applications submitted under the CSBS Education Foundation Examiner Certification Program (hereinafter “ECP”). **Please read it carefully and if you agree to the terms and conditions herein, initial each page in the space provided, sign and date it on the last page, and return to CSBS (by email: [certification@csbs.org](mailto:certification@csbs.org); by mail: CSBS Examiner Certification Program, 1129 20<sup>th</sup> Street NW, Ninth Floor, Washington, DC 20036).** If you do not agree to the terms herein and provide a signed copy of this Agreement to CSBS, you will not be permitted to provide the required support to a certification application under the ECP.

### **CLAUSE 1: Application Process**

The ECP application process is a confidential one. The contents of an application, including attachments, are accessible only by those individuals who have a vested interest in the process and outcome: the applicant, the applicant’s supervisor, CSBS staff (including IT personnel), and in cases of waiver requests, the Certification Committee. Thus, by signing this Agreement, you agree that you will not discuss or share with anyone any information contained in an application submitted or reviewed for approval by CSBS.

Because the ECP places a high degree of reliance on the ratings and attestation you provide in the application process, by performing these tasks, placing your signature on the application, and submitting it to CSBS for review, you affirm that you are familiar with the applicant’s experience, performance, skills and abilities, and are confident that the applicant meets all requirements of the credential for which he/she is applying. Further, you affirm that the narrative support of each application is unique to the applicant named in the submission.

### **CLAUSE 2: Recertification – Continuing Education**

Any state examiner who wishes to participate in the ECP must be willing and able to engage in continuing education (CE) to maintain any certifications awarded through the application process. Due consideration should be given to the ability of the applicant in this respect before application is made. Additionally, program participants agree to random audits of CE submissions and it is the expectation of the ECP that all supervisors will assist CSBS staff in performance of these audits.

### **CLAUSE 3: Behavior and Conduct of Parties to the Application Process**

You will not engage in any conduct that would be contrary to good character or reputation, or engage in any behavior that would cause the public to believe that you would not behave lawfully, honestly, or fairly in the execution of your duties.

Additionally, if you become aware of any improper conduct of certified persons, ***particularly those applicants for whom you provided ratings and attestation in the application process***, you agree to report such conduct to CSBS by sending an email outlining the alleged infraction to [certification@csbs.org](mailto:certification@csbs.org).

You will not use falsified or altered certificates, score reports, or other documents or electronic media to misrepresent training or employment status.

**CLAUSE 4: Change in Employment Status**

An application for which you provide attestation, ratings, and other support relies in part on the applicant’s employment at a stated level within your agency. Should an applicant’s employment at the agency be terminated, should an applicant be demoted, or should an applicant become unable to competently perform the duties for which he/she is responsible at the time of approval, you agree to report such changes in status to [certification@csbs.org](mailto:certification@csbs.org).

**CLAUSE 5: Change in Agency Guidelines**

Should your agency institute any policy, rule, regulation, guideline that may affect an applicant’s capability to maintain a certification, particularly as it relates to the ability to participate in continuing education in order to meet the stated requirements, you are required to notify [certification@csbs.org](mailto:certification@csbs.org) without delay.

**CLAUSE 6: Possible Consequences of Violations of the Behavior and Conduct Clause**

If one or more conditions described in Clause 3 arise, the Certification Committee or its designated agents will review the applicant's certification status thoroughly. The results of such review may be reported to an applicant's supervisor and/or to the agency employing the applicant. The findings of the review may subject an applicant to denial or revocation of certification.

**CLAUSE 7: Breach of Supervisor Agreement**

Any violation of this Agreement could subject you to significant consequences, including but not limited to:

- Denial of access to the application process;
- Invalidation of an application;
- Revocation of existing certification credentials;
- Opening of an investigation into the alleged violation;
- Reporting of the alleged violation, and /or the factual findings of any investigation of the alleged violation to your employer.

If you are alleged to have violated this Agreement, the matter will be investigated in accordance with the Administrative Action Procedures. These procedures may be found at appendix tab F of the ECP participant handbook. They may be amended or revised from time to time, and any investigation of conduct will be governed by the procedures in place at the time that you submit an application for review by CSBS.

Please indicate your acceptance of the terms of this Agreement by entering your first and last name below, placing your signature and the date in the spaces provided, and sending the executed original to [certification@csbs.org](mailto:certification@csbs.org).

Print first and last names: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



**APPENDIX**

**Tab F – Conflicts of Interest, Confidentiality, and Nondisclosure Acceptance Form**

***(NOTE: ALL APPLICANTS AND SUPERVISORS MUST SIGN THE REQUIRED FORMS AND SUBMIT TO THE CERTIFICATION PROGRAM MANAGER BEFORE STARTING THE APPLICATION PROCESS. THESE FORMS ARE POSTED HERE FOR REFERENCE PURPOSES ONLY.)***

**Acceptance Form Regarding the  
Conflict of Interest, Confidentiality, and Non-Disclosure Policy  
of the CSBS Education Foundation’s  
Examiner Certification Program**

As a participant in and/or representative of the CSBS Education Foundation Examiner Certification Program (ECP), I understand that I am responsible for maintaining the confidentiality, nondisclosure, and nonuse of any confidential information, covered under the ECP Conflict of Interest, Confidentiality, and Nondisclosure Policy (ECP Participant Handbook, Section II.F.), which I may receive, handle, see, overhear, or possess during the course of my relationship with the ECP. If questions arise pertaining to the confidentiality of specific data or information, I will contact CSBS certification staff, my immediate supervisor, and/or the CSBS General Counsel before disclosure or use of the confidential information in any form.

I will not at any time, nor in any manner, either directly or indirectly divulge, disclose, release, or communicate any confidential information as defined under the CSBS conflict of interest, confidentiality, and non-disclosure policy to any third party. I recognize that maintaining confidentiality includes discussing confidential data or information.

I understand that unauthorized disclosure of confidential information or noncompliance with the conflict of interest, confidentiality, and non-disclosure policy will result in disciplinary action which may include termination of CSBS employees or withdrawal of certification from examiners.

I understand that the CSBS Education Foundation is a tax-exempt organization and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

I further understand and agree that I shall be bound by the terms of this agreement subsequent to any termination of employment with CSBS with respect to any confidential information possessed or known by me during the term of my employment.

By signing below, I warrant that I have read and understand the CSBS Conflict of Interest, Confidentiality, and Non-Disclosure Policy contained in the ECP Participant Handbook (Section II.F.) and agree to be bound by its terms and this agreement.

\_\_\_\_\_  
(Signature of Authorized Representative)

\_\_\_\_\_  
(Date and Place)

Please print name: \_\_\_\_\_

## APPENDIX

### Tab G – Administrative Action Procedures

#### Decisions by the Certification Committee

Once the Certification Committee makes a decision regarding certification of an individual, it will notify the individual in writing as promptly as possible. The forms of possible Committee action are:

##### Initial Certification:

- Granting of Certification
- Deferral on the decision to grant certification:
  - Show Cause
  - Denial of certification
- Denial of certification

##### Recertification:

- Recertify
  - Probation for a specified period of time
  - Show Cause
  - Denial of recertification
- Denial of recertification

#### Adverse Actions of the Certification Committee

When measured against the standards for certification, an individual may, in the opinion of the Certification Committee, be found wanting. The nature and gravity of the deficiency will determine whether, in the judgment of the Committee, one of the following adverse actions should be taken, depending on the case:

##### **Initial Certification (including Grandfathering):**

##### ***Deferral:***

1. A deferral is not a final decision. It is interlocutory in nature to provide further guidance and time for the applicant to correct certain deficiencies. A deferral means that an individual does not meet all or a portion of the Program standards; however, in the opinion of the Committee, the individual has the ability to correct the deficiencies, within a reasonable time period and will be able to meet the Program standards. A deferral may not be appealed.

2. If the Committee reaches a decision of a deferral, the applicant must, within a reasonable time frame (as determined by the Certification Committee), meet the Program standards. At the end of the specified time period, the Committee will make a final decision on whether to certify, issue a show-cause order, or deny certification.

***Denial:***

1. A denial is a final decision. Denial of initial certification means that the applicant does not meet the Program standards and in the opinion of the Committee, the applicant will not be able to correct the deficiencies, in a reasonable amount of time, to meet the Program standards.
2. A denial is subject to the appeals process.

**Recertification:**

*Probation for a specified period of time*

1. Probation - When a certified individual fails to respond to conditions imposed upon him/her by the Committee or when it deviates significantly from the Committee's criteria or policies but not to such an extent as to warrant a show-cause order or termination of certification, he/she may be placed on probation for a specified period of time, which shall not exceed one year except under unusual circumstances. While on probation, the individual will be subject to special scrutiny by the Committee. If the individual does not take steps satisfactory to the Committee to remove the cause(s) for his/her probation at the end of the specified time, the Committee may issue a show-cause order or terminate certification. Probation does not affect the certification status of the individual.
2. Probation is subject to the appeals process.

*Denial of recertification*

1. A denial is a final decision. Denial of recertification means that the applicant does not meet the Program standards and in the opinion of the Committee, the applicant will not be able to correct the deficiencies, in a reasonable amount of time, to meet the Program standards.
2. A denial is subject to the appeals process.

## **Adverse Decision Definitions**

### Show Cause:

When the Committee finds an applicant to be in substantial non-compliance with its criteria or policies or when the applicant has not responded to the conditions imposed by the Committee, the Committee may ask the applicant to show cause why certification should not be denied. In such cases, the burden of proof will be on the applicant to demonstrate why his/her certification should not be denied.

### Termination of Certification:

If, in the judgment of the Committee, an individual has not satisfactorily explained or corrected matters of which he/she has been given notice, his/her certification shall be terminated. In such a case, the individual must complete again the entire application process to re-qualify for certification. This action may be appealed.

## **Termination of Certification**

The adverse actions that could lead to de-certification include deferral, denial, probation, show cause, and termination. Only denial, probation and termination may be appealed under the EFSBS guidelines. In addition, all individuals remain certified throughout any adverse action until, if applicable, the appeals process has been completed and the Appellate Committee has made a final decision.

As part of the appeals process, an Appellate Committee of three, chosen by the individual and Certification Committee Chairman, and not having participated in any of the decisions of the affected individual will review the appeal.

If the Appellate Committee's final vote is for the termination of certification of an individual, the de-certification notification procedures must be followed as outlined below:

Whenever final de-certification action is to be taken by the Appellate Committee, EFSBS, under the signature of the Certification Committee Chairman, shall transmit a letter to the affected individual advising him/her of that final action and stating the reasons for the de-certification.

Upon receiving notice of the termination of his/her certification, the individual must immediately cease any and all usage of the designation.

## **Appeal Procedures**

In the event of a decision by the Certification Committee resulting in the denial of an initial certification (or recertification), termination of certification, or the placement of an individual on probation, the individual may appeal the decision. Only the individual shall have the right of appeal. No other party shall be considered to have standing to pursue an appeal. The basis for this appeal must be that the Committee acted with alleged bias, departed from stated procedures, made a serious factual error, failed to consider all significant evidence, or rendered a decision that is arbitrary and capricious.



Should the individual appeal, certain procedures shall apply:

- Not later than thirty days from the date of notification of a negative action, the individual shall notify the Certification Committee Chairman in writing of his/her intention to petition for review of the action, and not later than sixty days from the same date he/she shall submit written documentation supporting such petition.
- The Certification Committee shall then have sixty days to consider the petition for review of the action. If, in the Committee's review of the petition, a second decision is rendered that is unsatisfactory to the individual, then the individual shall have the right to request the appointment of an Appellate Committee for further review. The individual shall have thirty days to request the appointment of an Appellate Committee.
- If an individual requests further review, the Certification Committee Chairman and the appealing individual shall appoint an Appellate Committee comprising three persons who have not participated in any way in the decision being appealed. These three individuals must have minimum qualifications the same as those required to have achieved the level of certification in question. The Certification Committee shall maintain a roster of qualified candidates for the Appellate Committee\*. The Certification Committee Chairman will appoint one member, the individual will appoint another, and the third member shall be jointly selected by the two appointed Appellate Committee members. If the two appointed Appellate Committee members cannot agree on the third member, he/she shall be chosen by drawing from the roster.
- The Appellate Committee shall receive from the individual making the appeal, within thirty days, written material detailing its appeal and from the Certification Committee a written response to the appeal.
- The Appellate Committee shall have thirty days to affirm or reverse the Certification Committee's decision, giving reasons in writing in either case.
- The Appellate Committee decision shall be final. This decision is not reviewed by the CSBS Education Foundation Board of Trustees, the CSBS Board of Directors or any other body. The Appellate Committee's final decision shall become effective immediately upon notification made to the individual requesting the appeal.
- The certification status of any individual shall remain unchanged during the appeal and there shall be no public notice of an adverse action until the appeal is completed and a final determination on the matter is reached.

*Note: Volunteers shall be sought for service on Appellate Committees (i.e., certified individuals will be asked if they would be willing to be placed on the Appellate Committee roster).*

## APPENDIX

### Tab H – Internal Audit Function



# CSBS Examiner Certification Program Internal Audit Function (IAF)

Prepared by:  
Certification Committee

## Project Charter

- The internal audit function will add value to the ECP by bringing a systematic and disciplined approach to evaluate and improve the program's governance, risk management, and internal controls.
- The internal audit function will be authorized unrestricted access to any and all ECP records.
- The internal audit review team will consist of retired examiners who were certified under the ECP during state agency employment or employed as an SME during credential development, communicating to the Certification Committee through a liaison selected by its chairman.
- The internal audit review team will assess the efficiency and effectiveness of the internal audit function and identify opportunities for improvement.
- In October of each year, ECP staff will work with the Certification Committee and the audit review team to produce a report regarding its findings, the corrective/preventive actions to be taken, and the results of those actions.

## APPENDIX

### Tab H – Internal Audit Function

#### Internal Audit Function (IAF) Scope

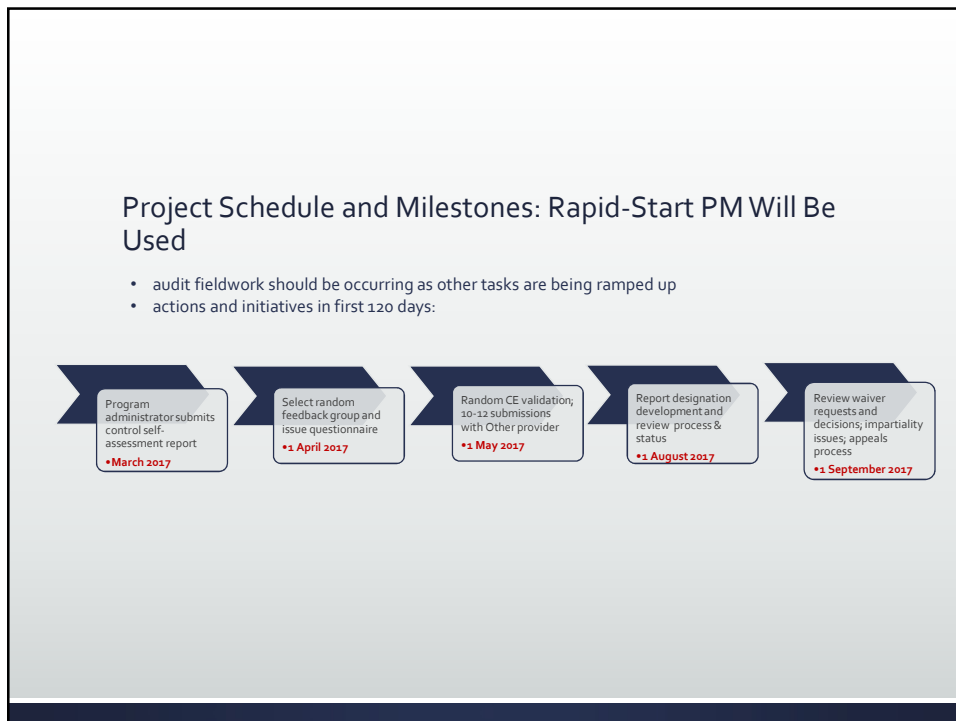
- Input
  - Feedback provided through survey of program participants
  - Impartiality / waiver / appeal information
  - Results of a random audit of CE submissions
  - Control self-assessment questionnaire
  - Results of corrective/preventive actions (beginning year 2)
- Output
  - Written report of review team
    - Evaluation of program processes and procedures
    - Opportunities for improvement
  - Certification Committee will consider and approve/reject review team suggestions
  - Approved changes will be implemented by ECP staff within one year of approval
  - By establishing an IAF, ECP ensures compliance with Clause 10 of ANSI Standard 17024
- Stakeholders
  - ECP, ECP participants, Certification Committee, and ECP staff

#### Objectives

- Technical: review and revise, if necessary, any and all documentation, whether in print or online, used in the operation of the ECP and in furtherance of the its stated objectives and mission statement
- Risk Management: assure community that certification criteria is reasonable and valid; that procedures are fair and clear; that waivers and grandfathering are legitimate and evenly applied; that changes to credentials and/or the process are developed by SMEs and approved by consensus; and that reasonable accommodations are made for those with disabilities
- Schedule: review and improve, if appropriate, the time-specific factors related to ECP certification: three-year term, grace period for CEH submissions, waive-in deadlines, etc.
- Costs: review and adjust, if necessary, the fees associated with ECP certification: application fee, certification fee, upgrade fee, etc.
- Conceptual: Regular audits demonstrate that the Certification Committee and ECP staff are managing the program effectively on behalf of the certified community

# APPENDIX

## Tab H – Internal Audit Function



## APPENDIX

### Tab H – Internal Audit Function

#### Risk Management Plan

Risk	Probability	Impact	Owner	Mitigation Plan
Resources may not be available to support even an unambitious audit function	Medium	High	Project Manager	See appendix for a Rapid-Start rollout and resource project plan
Feedback loop may be difficult to institute due to lack of SF resources	High	High	Project Manager/IT	Select survey tool to capture feedback outside of SF platform
Implementing corrective actions may be subordinate to routine tasks	Low	High	Project Manager	Realistic implementation plan; targeted preventive actions

#### Quality Management and Performance Measures

- Define quality management
  - Assigned resources are best suited to perform the required tasks
  - Required tasks are within stated scope
  - Defects will be addressed within 12 months of identification
  - Corrective/preventive actions address mission statement and charter goals
- Cost control
  - As the function is managed by ECP staff and the Certification Committee, cost is not part of this project plan
- Schedule control
  - Project will be subject to Rapid-Start PM
  - High level targets will be set to:
    - ensure quantifiable results within 120 days
    - ensure that limited resources will not preclude "real" positive results