

Examination and Appeal Policies and Procedures

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I. INTERPRETATION

1. General

- 1.1 Unless the context otherwise requires, words importing the singular number or the masculine gender shall include the plural number and the feminine gender, as the case may be, and vice versa.
- 1.2 In the computation of time, the following provisions apply:
 - 1.2.1. when calculating the number of days between two events, such as a decision and the deadline to appeal, the day on which the first event occurs is excluded, but the day on which the second event occurs is included; and
 - 1.2.2. if the deadline falls on a Holiday, the deadline is moved to the next Business Day following the Holiday.
- 1.3 The Examination and Appeal Policies and Procedures are available in both English and French, and both versions are of equal effect. In the event of any inconsistency or error in translation between the English and French versions, the English version prevails.

2. Definitions

- 2.1 **“Business Day”** means any day that is not a Holiday.
- 2.2 **“Health Care Documentation”** means documentation that complies with the provisions in Part VI of these Policies and Procedures.
- 2.3 **“Health Care Provider”** means a health care professional who holds or held at the relevant time a licence from the applicable health professional regulatory body.
- 2.4 **“Holiday”** means any Saturday or Sunday, New Year's Day, Family Day, Good Friday, Easter Monday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day, and Boxing Day.
- 2.5 **“Onsite Staff”** means an invigilator, proctor, test administrator or any other person responsible for administration or the supervision of an Examination.

II. CANDIDACY STATUS

3. Special Consideration Application

Eligibility

- 3.1 A person who:

- 3.1.1. holds a license to practice dentistry outside of Canada and whose date of graduation from or completion of an Accredited Program, an Accredited Qualifying or Degree Completion Program, or an Accredited Bridge Training to Dental Practice in Canada (BTDP) Program, and is more than sixty (60) months prior to the examination date for which they are registering, must apply to the Executive Committee to be a candidate for Board certification; or
- 3.1.2. ceased to be a Certification Candidate pursuant to Section 7.4 of By-law 2, having failed to pass the Virtual OSCE within sixty (60) months of their date of
 - (a) graduation from or completion of an Accredited Program, an Accredited Qualifying or Degree Completion Program, or an Accredited Bridge Training to Dental Practice in Canada (BTDP) Program; or
 - (b) completion of the Equivalency Process,

may submit an application to the Executive Committee pursuant to Section 8.1 of By-law 2 for Special Consideration to be designated a Certification Candidate ("**Special Consideration Application**").

Submissions

- 3.2 If an applicant for Special Consideration does not have an NDEBConnect account, then they must pay the application fee and create an NDEB Connect account before their Special Consideration Application will be considered by the Executive Committee.
- 3.3 The Executive Committee will only consider a complete Special Consideration Application that includes all of the required information. Subject to the NDEB's right to require additional information, the minimum required information in a Special Consideration Application consist of:
 - 3.3.1. a Special Consideration Application Form in hard copy completed by the applicant; and
 - 3.3.2. hard copy documents listed on the Special Consideration Application Form including, but not limited to, evidence of continuous practice for the past five (5) years, and evidence of continuous maintenance of the currency of the applicant's dental knowledge and clinical skills over the past three (3) years in form and substance acceptable to the NDEB.
- 3.4 The Special Consideration Application must be received in hard copy by the NDEB at its Ottawa offices prior to the application deadline for the Examination for which the applicant for Special Consideration wishes to register.

Outcomes

- 3.5 Upon review of a Special Consideration Application, the Executive Committee may:
 - 3.5.1. grant the Special Consideration Application;

- 3.5.2. deny the Special Consideration Application; or
- 3.5.3. request that the applicant provide additional information.
- 3.6 The grant or denial of a Special Consideration Application by the Executive Committee is final.
- 3.7 The NDEB Staff will communicate the determination of the Executive Committee to the applicant for Special Consideration by email.
- 3.8 A Certification Candidate whose Special Consideration Application has been granted must pass the Virtual OSCE within sixty (60) months of the date the NDEB communicates the determination of the Executive Committee to the Candidate.

4. Request to Extend Equivalency Candidate Status

Eligibility

- 4.1 A person who ceases to be an Equivalency Candidate pursuant to Section 16.8 of By-law 2, having failed to pass the NDECC within sixty (60) months of the date they first pass the Assessment of Clinical Judgement, may apply to the Executive Committee for an extension of the 60-month timeframe to pass the NDECC ("**Request to Extend Equivalency Candidate Status**") if, during the 60-month period when the person was an Equivalency Candidate, the person experienced one or both of the following circumstances:
 - 4.1.1. an exceptional medical circumstance that impeded their ability to register or participate in the NDECC three times; and/or
 - 4.1.2. inability to register for the NDECC three or more times.

Submissions

- 4.2 The Executive Committee will only consider a complete Request to Extend Equivalency Candidate Status that includes all of the required information. Subject to the NDEB's right to require additional information, the minimum required information in a Request to Extend Equivalency Candidate Status consists of:
 - 4.2.1. submission of a Request to Extend Equivalency Candidate Status Form through the NDEB website;
 - 4.2.2. information demonstrating that the Request satisfies the criteria set out in Section 4.1 of these Policies and Procedures; and
 - 4.2.3. submission of Health Care Documentation by email if the applicant experienced an exceptional medical circumstance.
- 4.3 For applicants requesting an extension due to inability to register for the NDECC, the NDEB Staff shall review the registration logs to verify that the applicant entered the

registration queue during each registration window and was not moved to seat selection.

Outcomes

- 4.4 Upon review of a Request to Extend Equivalency Candidate Status, the Executive Committee may:
 - 4.4.1. grant the Request;
 - 4.4.2. deny the Request; or
 - 4.4.3. request that the applicant provide additional information.
- 4.5 The NDEB Staff will communicate the determination of the Executive Committee to the applicant by email.
- 4.6 The grant or denial of a Request to Extend Equivalency Status by the Executive Committee is final.

5. Inactive NDEBConnect Accounts

- 5.1 Candidates with no Examination activity for a period of two (2) years (24 months) will have their NDEBConnect account status set to inactive.
- 5.2 The NDEB Staff will notify Candidates by email when their NDEBConnect account has been set to inactive.
- 5.3 On receipt of the notification, a Candidate may request to have the NDEBConnect account reactivated and pay the required fee. Where no such action is taken by the Candidate, their NDEBConnect account will remain inactive.

6. Transfers to the Certification Process

- 6.1 Individuals who begin but do not complete the Equivalency Process and subsequently become eligible for the Certification Process as a result of additional education must pay the Certification Process application fee to transfer into the Certification Process and become a Certification Candidate.

III. EXAMINATIONS

7. NDECC Registration

Process

- 7.1 NDECC registration will open in three stages:



- 7.1.1. Stage 1, registration for Candidates who have passed the most recent Assessment of Clinical Judgement (ACJ).
- 7.1.2. Stage 2, registration for Candidates who have an approved proof of Canadian citizenship or permanent residency.
- 7.1.3. Stage 3, registration for all Candidates with NDECC eligibility.
- 7.2 Candidates who are eligible and do not register in Stage 1 may register in Stage 2 if they are Canadian citizens or permanent residents, or in Stage 3 for a subsequent NDECC attempt.

Submissions

- 7.3 Candidates who are experiencing an exceptional medical circumstance at the time they are eligible to register in Stage 1 may decline registration and make a special request to the Executive Committee to have their registration priority postponed ("**Request to Postpone Priority**").
- 7.4 Subject to the NDEB's right to require additional information, all Requests to Postpone Priority must be accompanied by Health Care Documentation.
- 7.5 The Executive Committee will only consider a complete Request to Postpone Priority that includes all the required information.

Outcomes

- 7.6 Upon review of a Request to Postpone Priority, the Executive Committee may:
 - 7.6.1. grant the Request;
 - 7.6.2. deny the Request; or
 - 7.6.3. request that the Candidate provide additional information.
- 7.7 The grant or denial of a Request to Postpone Priority by the Executive Committee is final.
- 7.8 The NDEB Staff will communicate the determination of the Executive Committee to the Candidate by email.

8. Change of Examination Language

- 8.1 Requests to change the language of an Examination must be submitted to the NDEB by email to info@ndeb-bned.ca prior to taking an Examination.
- 8.2 The NDEB Staff will change the language of an Examination for a Candidate provided the change can be accommodated for the Examination for which the Candidate is registered.

8.3 In the event a language change cannot be made, Candidates will have the choice between:

8.3.1. withdrawing from the Examination at no charge; or

8.3.2. taking the Examination in the original language selected.

9. Examination Accommodations

Eligibility

9.1 Candidates may request a test accommodation ("**Test Accommodation Request**") due to a documented disability, medical diagnosis, or for a religious reason.

Submissions

9.2 Subject to the NDEB's right to require additional information, the minimum requirements of a Test Accommodation Request consist of:

9.2.1. a Test Accommodation Request Form completed by the Candidate and by where applicable, a Health Care Provider with knowledge of the Candidate's circumstances; and

9.2.2. where applicable, supporting documentation from:

(a) a Health Care Provider with knowledge of the Candidate's circumstances in form acceptable to the NDEB; or

(b) a religious leader in a form acceptable to the NDEB.

9.2.3. Both the Test Accommodation Request Form and any supporting documentation must be submitted through NDEBConnect.

9.3 Refusals or delayed responses to the NDEB's requests for additional information may lead to the denial of the Candidate's Accommodation Request.

9.4 For accommodation needs that are known when applying to be designated a Certification Candidate or an Equivalency Candidate, Candidates must submit an Accommodation Request immediately following registration for their first Examination.

9.5 Where there is a new or changing accommodation need while in the Certification Process or the Equivalency Process, Candidates must submit an Accommodation Request for the affected Examination as soon as possible and no later than eight weeks prior to the Examination date.

9.6 Failure to submit an Accommodation Request on or before the deadline for requesting accommodation for the affected Examination may lead to denial of the Candidate's Accommodation Request.

Outcomes

- 9.7 Upon review of an Accommodation Request, the NDEB Staff may:
 - 9.7.1. grant the Accommodation Request;
 - 9.7.2. propose an accommodation that differs from the Candidate's Accommodation Request;
 - 9.7.3. deny the Accommodation Request; or
 - 9.7.4. request that the Candidate provide additional information.
- 9.8 Upon the grant of an Accommodation Request or acceptance of a proposed accommodation, the NDEB will prepare an accommodation plan (the "**Accommodation Plan**") for the Candidate. The NDEB Staff will communicate the Accommodation Plan to the applicant by email. Upon receipt of the NDEB's Accommodation Plan, the Candidate may, within the timelines set out by the NDEB:
 - 9.8.1. accept the Accommodation Plan; or
 - 9.8.2. reject the Accommodation Plan.
- 9.9 If the Candidate rejects the Accommodation Plan, the Candidate may:
 - 9.9.1. attempt the relevant Examination without any accommodation; or
 - 9.9.2. withdraw from the relevant Examination.
- 9.10 An Accommodation Plan cannot modify the nature and level of the skills or competencies assessed in an Examination and cannot represent a fundamental alteration of the requirements of the Examination.
- 9.11 The NDEB may, in its sole discretion, determine the date, location and time of the sitting of an Examination conducted pursuant to an Accommodation Plan.
- 9.12 The Candidate is solely responsible for any additional expenses incurred by the Candidate as a result of the acceptance of an Accommodation Plan.
- 9.13 An Accommodation Plan is valid for the relevant registration for which the Accommodation Plan was prepared. A new accommodation request must be submitted for each registration.

10. Withdrawal from an Examination due to Medical or other Unforeseen Exceptional Circumstances

Eligibility

- 10.1 Candidates who are registered for an Examination and who experience unforeseen exceptional circumstances, including an exceptional medical circumstance, prior to the Examination must withdraw and submit a request to be refunded a portion of the Examination fee (a **"Refund Request"**).

Submissions

- 10.2 The NDEB will only consider a complete Refund Request that includes all the required information. Subject to the NDEB's right to require additional information, the minimum requirements of a Refund Request consist of:
- 10.2.1. the Candidate must have withdrawn from the Examination in NDEBConnect prior to the start of the Examination and indicate the reason for withdrawal.
 - 10.2.2. the Refund Request must be sent by email to the NDEB office within seven (7) days of the withdrawal and specify the unforeseen exceptional circumstance justifying withdrawal; and
 - 10.2.3. the Refund Request must include Health Care Documentation, in the case of an exceptional medical circumstance, or any supporting documentation, in the case of other unforeseen exceptional circumstance.

Outcomes

- 10.3 Upon review of the Refund Request, the NDEB Staff may:
- 10.3.1. grant the Refund Request and determine the appropriate refund; or
 - 10.3.2. determine that the Refund Request does not meet the requirements outlined in Section 10.2 and reject the Refund Request.
- 10.4 The NDEB Staff will communicate their determination regarding the Refund Request to the Candidate by email.

11. Prohibited Actions

Eligibility

- 11.1 Candidates are required to comply with the regulations listed in the relevant Examination Protocol and any rules governing the Examination site. Breach of Examination Protocols or any rules governing the Examination site is considered a prohibited action that may be investigated by the Registrar.

Outcomes

- 11.2 Upon investigation of a potential breach of Examination Protocols or rules governing the Examination site as a prohibited action, the Registrar shall:
- 11.2.1. close the investigation; or
 - 11.2.2. determine that a Candidate has engaged in a prohibited action and impose the appropriate sanctions, which may include but are not limited to:
 - (a) suspending or terminating access to the registration system;
 - (b) cancelling a registration for an Examination;
 - (c) suspending eligibility to register for an Examination until on or after a specified date;
 - (d) voiding Examination result(s);
 - (e) awarding a grade of zero or fail for any or all the questions or requirements on an Examination;
 - (f) prohibiting the Candidate from taking Examinations in the future;
 - (g) taking legal action against any persons involved in compromising Examination security; or
 - (h) other sanctions as deemed appropriate in the circumstances.

IV. APPEALS

12. Appeal of the Conduct of an Examination

Submission

- 12.1 The Appeals Committee will only consider a complete Appeal of the Conduct of an Examination that includes all the required information. Subject to the NDEB's right to require additional information, the minimum requirements of a Candidate's Appeal of the Conduct of an Examination (a "**Conduct Appeal**") consist of:

- 12.1.1. submission of the Conduct Appeal through NDEBConnect within seven (7) days of the date of the relevant Examination;
 - 12.1.2. payment in full of relevant filing fee at the same time as the Conduct Appeal is submitted;
 - 12.1.3. description of the significant issue pertaining to the administration of the Examination experienced by the Candidate;
 - 12.1.4. confirmation that the Candidate reported the issue to the Onsite Staff present during the Examination; and
 - 12.1.5. information relating to whether and how the issue was addressed, and if not adequately addressed, how the Candidate was prevented from demonstrating their abilities at the Examination.
- 12.2 In the event the Candidate submits a Conduct Appeal but subsequently receives a passing grade for the relevant Examination, the NDEB Staff shall notify the Candidate by email that the Candidate's Conduct Appeal is dismissed. There will be no refund of the filing fee.

Outcomes

- 12.3 Upon review, if the Registrar determines the irregularities or inconsistencies could not have impacted the Candidate's performance on the Examination, the Conduct Appeal will not be referred to a Panel of the Appeals Committee (the "**Panel**"). The Candidate's failing grade will be released, and the filing fee will not be refunded.
- 12.4 If upon review, the Registrar determines that irregularities or inconsistencies may have impacted the Candidate's performance on the Examination, the Conduct Appeal will be reviewed by the Panel along with relevant Examination documentation.
- 12.5 Upon review of a Candidate's Conduct Appeal, the Panel may:
- 12.5.1. grant the Conduct Appeal in whole or in part and may grant any other relief in addition to or in substitution for the relief applied for; or
 - 12.5.2. deny the Conduct Appeal.
- 12.6 The grant or denial of a Conduct Appeal by the Panel is final.
- 12.7 The NDEB Staff will communicate the determination of the Panel to the Candidate by email.

13. Compassionate Appeals

Eligibility

- 13.1 Candidates who experience an unforeseen exceptional circumstance beyond their control during an Examination that prevented the Candidate from demonstrating their abilities may submit a compassionate appeal to the NDEB (the "**Compassionate Appeal**") if all the following are true:

- 13.1.1. the Candidate did not complete the Examination;
- 13.1.2. the Candidate notified Onsite Staff at the time of departure that they were unable to complete the Examination due to unforeseen exceptional circumstances beyond their control; and
- 13.1.3. the Onsite Staff must have completed a report documenting the time the Candidate left the Examination.

Submissions

- 13.2 The Executive Committee will only consider a complete Compassionate Appeal that includes all the required information. Subject to the NDEB's right to require additional information, the minimum requirements of a Compassionate Appeal consist of:
- 13.2.1. submission of the Compassionate Appeal through NDEBConnect within seven (7) days of the date of the relevant Examination, which must:
 - (a) describe the unforeseen exceptional circumstance beyond their control experienced by the Candidate during the Examination;
 - (b) confirm that the Candidate reported to the Onsite Staff present during the Examination that they were unable to complete the Examination due to unforeseen exceptional circumstances beyond their control; and
 - (c) confirm that as a result of the unforeseen exceptional circumstances, the Candidate left the Examination without completing it.
 - 13.2.2. submission of information relating to the family-related circumstances or Health Care Documentation through NDEBConnect within seven (7) days of the date of the relevant Examination.

Outcomes

- 13.3 The NDEB Staff shall verify that the Compassionate Appeal meets the minimum requirements set out in Section 13.2. Only Compassionate Appeals that comply with the minimum requirements set out in Section 13.2 will be considered by the Executive Committee.

- 13.4 The NDEB Staff will notify the Candidate by email the result of the NDEB Staff's verification.
- 13.5 Upon consideration of a Compassionate Appeal, the Executive Committee may:
- 13.5.1. grant the Compassionate Appeal in whole or in part and may grant any other relief in addition to or in substitution for the relief applied for, including but not limited to granting a refund of fees; or
 - 13.5.2. deny the Compassionate Appeal.
- 13.6 The grant or denial of a Compassionate Appeal by the Executive Committee is final.
- 13.7 The NDEB Staff will communicate the determination of the Executive Committee to the Candidate by email.
- 13.8 Upon the granting of the Compassionate Appeal, the Candidate's Examination result shall be voided.

14. Verification of Scores

Eligibility

- 14.1 Candidates who receive a failing result on an Examination may submit a request to have their score verified ("**Verification Request**").

Submissions

- 14.2 A Candidate's Verification Request must comply with the following minimum requirements:
- 14.2.1. the Verification Request must be submitted through NDEBConnect within thirty (30) days of the date upon which the relevant Examination score is released; and
 - 14.2.2. the Verification Request must be accompanied by the relevant filing fee, paid in full at the same time as the Verification Request is submitted.

Outcomes

- 14.3 Upon receipt of a Verification Request, the NDEB Staff will verify the Examination score. The NDEB Staff will email the results of the verification within approximately six (6) weeks of the Verification Request.
- 14.4 If, upon verification, the Candidate receives a passing result, any existing registration for the same Examination will be withdrawn and the Examination fee refunded.
- 14.5 The Candidate's Examination score after verification is final.

- 14.6 The NDEB shall not provide the relevant Examination, the answer key of the relevant Examination, or the Candidate's scoresheet to the Candidate upon Verification Request or in any other circumstances.

V. FALSE OR MISLEADING REPRESENTATION

15. Definition

- 15.1 A false or misleading representation within the meaning of Section 5 of By-law 2 shall mean:
- 15.1.1. Including falsified information or documentation in a person's application to be a Certification Candidate or an Equivalency Candidate;
 - 15.1.2. A breach of:
 - (a) Terms and Conditions for Online Submissions;
 - (b) Confidentiality and Intellectual Property Acknowledgement; or
 - (c) NDECC Confidentiality and Non-disclosure Agreement.

16. Appeal of Administrative Measures

Eligibility

- 16.1 A person who is subject to administrative measures as determined by the Registrar pursuant to Section 5.3 of By-law 2 may submit an Appeal of Administrative Measures.
- 16.2 The grounds of the appeal are limited to any further administrative measures imposed by the Registrar pursuant to Section 5.3.

Submissions

- 16.3 The Appeals Committee will only consider a complete Appeal of Administrative Measures that includes all the required information. Subject to the NDEB's right to require additional information, the minimum requirements of an Appeal of Administrative Measures consist of:
- 16.3.1. submission of the Appeal of Administrative Measures through NDEBConnect within ten (10) Business Days of the person's receipt of the Registrar's determination of administrative measures pursuant to Section 5.4 of By-law 2;
 - 16.3.2. payment in full of the relevant filing fee at the same time as the Appeal of Administrative Measures is submitted; and
 - 16.3.3. copies of any supporting documentation referenced or relied upon by the person in their Appeal of Administrative Measures.

Outcomes

- 16.4 Upon consideration of the Appeal of Administrative Measures and in accordance with Section 5 of By-law 2, the Appeals Committee may:
 - 16.4.1. grant the Appeal of Administrative Measures in whole or in part and may grant any other relief in addition to or in substitution for the relief applied for; or
 - 16.4.2. deny the Appeal of Administrative Measures.
- 16.5 The grant or denial of an Appeal of Administrative Measures by the Appeals Committee is final.
- 16.6 The NDEB Staff will communicate the determination of the Appeals Committee to the person by email.

VI. HEALTH CARE DOCUMENTATION

17. Requirements for Health Care Documentation

- 17.1 The NDEB will only accept Health Care Documentation that complies with all the following requirements:
 - 17.1.1. be issued at the time of illness or injury;
 - 17.1.2. be issued by a Health Care Provider;
 - 17.1.3. be on official practice or hospital letterhead;
 - 17.1.4. include the Health Care Provider's credentials and contact information;
 - 17.1.5. include a clear diagnosis and description of limitations associated with the diagnosis;
 - 17.1.6. clearly indicate that the Candidate is not fit to take the Examination;
 - 17.1.7. provide an expected recovery date; and
 - 17.1.8. be in English or French.

18. Verification of Health Care Documentation

- 18.1 All Candidates who submit Health Care Documentation must also provide consent to the NDEB to contact the issuing Health Care Provider to verify the submitted Health Care Documentation.
- 18.2 Such consent will be provided in form and substance acceptable to both the NDEB and the Health Care Provider.

19. Unacceptable Documentation

19.1 The NDEB will not accept any of the following as Health Care Documentation:

- 19.1.1. handwritten letters from Health Care Providers;
- 19.1.2. handwritten patient records or notes from patient charts;
- 19.1.3. diagnoses on prescription pads;
- 19.1.4. diagnoses based on self-reporting; or
- 19.1.5. research articles.

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