Table of Contents

GOVERNANCE

Category 1  ABO Board of Directors

1.1  Nominations and Selection of ABO Board of Directors
1.2  ABO Director Reappointment to Second Consecutive Term

Category 2  ABO Officers and Committees

2.1  Nomination and Election of ABO Officers
2.2  Executive Director
2.3  Chairman
2.4  Vice Chairman
2.5  Secretary
2.6  Treasurer
2.7  Audit Committee
2.8  Item Writing Committee
2.9  Item Review Committee
2.10  Form Review Committee
2.11  Maintenance of Certification Committee

Category 3  Professional Memberships

3.1  National Commission for Certifying Agencies (NCCA)
3.2  Institute for Credentialing Excellence (ICE)

OPERATIONAL POLICIES AND PROCEDURES

Category 4  Professional Management

4.1  Record Retention Policy
4.2  Financial Management Policies
4.2.1  Credit Card Policy
4.2.2  Refund Policy
4.3  Nondiscrimination Policy
4.4  Code of Professional Business Practices and Conduct

Category 5  Professional Test Development

5.1  Contract
5.2  Accountability/Responsibility
5.3 Item Writing and Item Review Committees
5.4 Communication
5.5 Practice Analysis
5.6 Use of Practice Analysis Data
5.7 Item Writing and Item Review
5.8 Examination Development for Proctored Computer-Based Testing
5.9 Proctored Computer-Based Examination Administration
5.10 Technical Report
5.11 Standard Setting, Cut Score Determination and Equating
5.12 Establishment of a Pass/Fail Database
5.13 Test Item and Security
5.14 Candidate Handbook

Category 6  Contractual Agents

6.1 Legal Counsel
6.2 Auditor
6.3 Testing Services
6.4 Database Services

Category 7  ABO Board Operations

7.1 ABO Board of Directors Meetings
7.2 Board Meeting Agenda
7.3 Board Meeting Minutes
7.4 ABO Committee Meetings
7.5 ABO Meeting Attendance

Category 8  Confidentiality and Security

8.1 ABO Exam Development Confidentiality Agreement
8.2 Confidentiality of Candidates’ and Diplomates’ Information
8.3 Conflict of Interest
8.4 Whistleblower Policy

Category 9  Judicial and Ethics Process

9.1 Disciplinary Policy
9.2 Purpose of the Judicial and Ethics Review
9.3 Types of Complaints
9.4 Procedure for Complaint Evaluation and Appeals

Category 10  Board Certification

10.1 Eligibility
10.2 ABO Examination Registration
10.3 Americans with Disabilities Act Accommodations
10.4 Language Requirements
10.5 Score Reports
10.6 Retesting
10.7 Invalidating Board Certification

Category 11 Diplomate Guidelines

11.1 Maintenance of Certification
11.2 Use of Logo and Title
11.3 PQRS+MOC Program
GOVERNANCE

Category 1, ABO Board of Directors

1.1 Nominations and Selection of ABO Board of Directors

Policy: Any Director may be elected for successive terms. No Director shall be elected as such Director for more than two (2) consecutive full terms. A full term for a Director shall consist of three (3) years.

Any changes made to this policy must be reviewed and approved by the ABO Board of Directors.

Procedure:
1. If a position on the Board of Directors is opening, the Executive Director will notify the appropriate Core Organization(s) of the pending vacancy and the nomination deadline, which is 60 days before the Annual Meeting. The Core Organizations are as follows:
   a. American Academy of Optometry (AAO)
   b. American Optometric Association (AOA)
   c. American Optometric Student Association (AOSA)
   d. Association of Schools & Colleges of Optometry (ASCO)
2. The Core Organization(s) makes three nominations for each designated seat on the Board of Directors. All Directors elected subsequent to October 24, 2012, except any at-large Directors representing the public, must be licensed optometrists in good standing who are Diplomates of the American Board of Optometry. The nominations of the AOSA must be for doctors of optometry initially licensed for less than five years on the date of his or her appointment. All nominations must be in writing with detailed biographical information and curriculum vitae for each nominee. The nomination deadline is 60 days before the annual board meeting.
3. Each existing Director privately reviews each candidate’s information before the annual meeting.
4. At the annual meeting, the Board of Directors elects new Directors from the nominations. The Board of Directors may also consider and elect any individual for an At-Large Director position. Following a Super-Majority approval, additional At-Large Director positions can also be filled.
5. Newly appointed directors formally accept their new position by attending the Board of Directors meeting.

1.2 ABO Director Reappointment to Second Consecutive Term

Policy: An ABO Board of director may seek reappointment for a second consecutive term following recommendation from the Board of Directors.
Procedure:
1. 90 days before his or her term expires, a Director seeking a consecutive term informs the Executive Director of his or her wishes for reappointment.
2. The other Directors privately evaluate the Director seeking reappointment’s performance.
3. The current Chairman of the Board of Directors shall recommend either reappointing the Director or seeking a replacement prior to the nomination deadline.

Category 2, ABO Officers and Committees

2.1 Nomination and Election of ABO Officers

Policy: Officer positions are annually elected by the Board of Directors per ABO bylaws. A full term for an officer is one year. No Director shall be elected as such officer for more than two consecutive full terms. Directors may not simultaneously hold more than one officer position.

Procedure:
1. No later than 60 days before the annual board meeting, Directors may make nominations for officer positions. The Executive Director informs the Board of Directors of these nominations.
2. Officer positions include Chairman, Vice Chairman, Secretary, Treasurer and such other positions the Board of Directors may establish. A nominated Director must formally accept the nomination through a letter or email expressing his or her willingness to serve and complete the duties for the designated office in as outlined in the ABO bylaws.

2.2 Executive Director

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

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

Policy: The Chairman of the Board of Directors presides at all meetings and has powers outlined in the ABO bylaws.

Procedure:
1. Qualifications:
   a. Nominated by an ABO Director
   b. Expresses willingness to serve through a letter or email to the Board of Directors
2. Administrative Responsibilities:
   a. Preside at all Board of Director meetings
   b. In the case that the ABO has no Executive Director, the Chairman assumes all duties and responsibilities of that role.

2.4 Vice Chairman

Policy: The Vice Chairman works with and supports the Chairman of the board and also has additional powers outlined in the ABO bylaws.

Procedure:
1. Qualifications:
   a. Nominated by an ABO Director
   b. Expresses willingness to serve through a letter or email to the Board of Directors
2. Administrative Responsibilities:
   a. Supports Chairman of the Board
   b. Performs duties the Chairman assigns

2.5 Secretary

Policy: The Secretary acts as the recorder for the Board of Directors. Additional powers are outlined in the ABO bylaws.

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

2.6 Treasurer

Policy: The Treasurer is responsible for supervising and recording all Board financial transactions. Additional powers are outlined in the ABO bylaws.
Procedure:
1. Qualifications:
   a. Nominated by an ABO Director
   b. Expresses willingness to serve through a letter or email to the Board of Directors
2. Administrative Responsibilities:
   a. Act as supervisor and custodian of all money, funds and credits of the Board
   b. Monitor and update all accounting books and records of the ABO
   c. Expend and permit the disbursement of funds of the ABO
   d. Complete a financial report at the request of the Chairman

2.7 Audit Committee

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

Procedure:
1. Appoints, compensates, terminates and oversees the work of the independent auditors employed by ABO.
2. Reviews and discusses with management and the independent auditors the annual audited financial statements.
3. Reviews with ABO management and the independent auditors any legal matters, risks or exposures that could have a significant impact on the financial statements

2.8 Item Writing Committee

Policy: The Item Writing Committee is responsible for Board Certification test development and works with Prometric to develop, update and maintain exam items.

Procedure:
1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board of Directors.
2. The committees meet at regular intervals prior to each examination. Meetings may be through conference call or online interaction.
3. The committees, in conjunction with Prometric, develop new items.
4. Prometric may issue additional responsibilities and duties to committee members.
5. All committee members are required to attend live item writing events.

2.9 Item Review Committee

Policy: The Item Review Committee is responsible for Board Certification test review and works with Prometric to evaluate exam items.

Procedure:
1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board of Directors.
2. The committee meets at regular intervals prior to each examination. Meetings may be through conference call or online interaction.
3. The committee, in conjunction with Prometric, reviews and revises drafted items.
4. Prometric may issue additional responsibilities and duties to committee members.
5. All committee members are required to attend live item reviewing events.

2.10 Form Review Committee

Policy: The Form Reviewing Committee is responsible for Board Certification form review and works with Prometric to evaluate the exam in its completed state.

Procedure:
1. Each committee is made up of no less than three ABO Diplomate volunteers and one member of the Board of Directors.
2. The committee meets at regular intervals prior to each examination. Meetings may be through conference call or online interaction.
3. The committee, in conjunction with Prometric, reviews and revises the exam in its completed form.
4. Prometric may issue additional responsibilities and duties to committee members.
5. All committee members are required to attend live from review events.

2.11 Maintenance of Certification Committee

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

Procedure:
1. The committee is made up of no less than two Directors.
2. The committee should meet in person or by conference call at least twice each year to consider ongoing operation of the program.
Category 3.0 Professional Memberships

3.1 National Commission for Certifying Agencies (NCCA)

Policy: The ABO has applied for NCCA accreditation. Pending this approval, the ABO will maintain this accreditation to ensure quality and dependability of the ABO Board Certification and Maintenance of Certification processes.

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

3.2 Institute for Credentialing Excellence (ICE)

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

Procedure:
1. The ABO annual operational budget includes allocated funds for ICE membership.
2. ABO staff and volunteers may attend the ICE Annual Meeting to gain publicity for the ABO and learn about industry trends.

OPERATIONAL POLICIES AND PROCEDURES

Category 4, Professional Management

4.1 Record Retention Policy

Policy: All documents necessary for the conduct of ABO’s operations are retained as long as there is a reasonable need for them. This policy, which applies documents both on-site as well as those stored with third-party vendors, must be followed by ABO Directors, officers, employees and volunteers.

Overview and Purpose
American Board of Optometry, a Missouri nonprofit corporation ("ABO"), as part of its day-to-day operations, and for the benefit of its affiliates, creates, retains and produces documents. This Records Retention Policy (this "Policy") provides ABO directors, officers, employees and volunteers with procedures to follow with respect to the preservation of certain types of ABO documents. This Policy is designed to:

1. ensure that all documents necessary for the conduct of ABO's operations are available for as long as there is a reasonable need for them;
2. ensure that ABO complies with all federal and state legal requirements for retaining documents;
3. minimize the costs of records retention including the costs of storage and retrieval of retained documents;
4. and ensure that obsolete documents for which there is no operational or legal reason to maintain are disposed of in a proper manner.

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

Directors, officers, employees and volunteers are expected to familiarize themselves with these procedures. Questions regarding document retention and document destruction should be addressed to the Executive Director or other applicable director responsible for the area (the "Applicable Director").

Who Should Read This Policy
All ABO directors, officers, employees and volunteers should read and understand this policy.

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

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

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

This Policy is to be used as a general guide; it is not an exhaustive study of all records that ABO might maintain from time to time, nor does it address particular nuances of each particular situation. Anyone who is unsure concerning the retention of records or other aspects of this Policy should consult with ABO's Executive Director.

Nothing in this Policy is intended to alter or abrogate any contractual undertaking of ABO to return, destroy, or not retain copies of confidential information.

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

Electronic Documents
Electronic documents are treated like other ABO records and are to be retained in accordance with this Policy. All directors, officers, employees and volunteers should adhere to ABO's policy on e-mail communications.
In accordance with the Electronic Signatures in Global and National Commerce Act (the "E-Signature Act"), 15 U.S.C. Sec. 7001-7031 (2000), ABO may choose to comply with statutory and regulatory document retention requirements by storing records electronically.

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

**Suspension of Document Destruction Procedures -- Legal Hold**

If ABO (or a board member, officer or employee in a matter relating to ABO):

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

or it is reasonably foreseeable that (a), (b), (c), or (d) above may occur, then no employee or board member of ABO is permitted to destroy any document relevant to the subject matter of the investigation or litigation without specific written authorization from the Applicable Director.

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

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

**Records Storage Requirements**

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

**Security**

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

Print information will be secured in locked files to prevent unauthorized access. The ABO Executive Director and ABO Operations Manager shall be the only keyholders.
**Procedure for Destruction of Records**

The Applicable Director is authorized to and must oversee the destruction of all files within his area of authority. All documents should be shredded.

**Amendment**

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

**Procedure:** Minimum periods of record retention are outlined for specific documents below.

<table>
<thead>
<tr>
<th>TYPE OF RECORD RESPONSIBILITY</th>
<th>RETENTION PERIOD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audited Financial Statements</td>
<td>Perpetual</td>
</tr>
<tr>
<td>Paid Invoices, Requests for Checks, and Travel and Expense (TE) Reimbursement Requests (with Supporting Check Copy)</td>
<td>7 years</td>
</tr>
<tr>
<td>Bank Deposits, Debit, and Credit Memos</td>
<td>7 years</td>
</tr>
<tr>
<td>Bank Statements and Reconciliations</td>
<td>7 years</td>
</tr>
<tr>
<td>Budgets — Supporting Documentation And Background (paper version)</td>
<td>7 years</td>
</tr>
<tr>
<td>Budgets (Electronic Version)</td>
<td>Perpetual</td>
</tr>
<tr>
<td>Disbursement Images (Cancelled Checks)</td>
<td>7 years</td>
</tr>
<tr>
<td>Cash Receipts Posting Journals</td>
<td>7 years</td>
</tr>
<tr>
<td>Cash Management Entries</td>
<td>7 years</td>
</tr>
<tr>
<td>Lockbox Images (Lockbox Activity)</td>
<td>7 years</td>
</tr>
<tr>
<td>Application Remittances, Credit Memos, and Additional Information Forms</td>
<td>7 years</td>
</tr>
<tr>
<td>Employment Contracts</td>
<td>Perpetual</td>
</tr>
<tr>
<td>Employee Payroll Records (W2, W4, annual earnings record, etc.)</td>
<td>7 years</td>
</tr>
<tr>
<td>Financial Statements</td>
<td>Perpetual</td>
</tr>
</tbody>
</table>
General Journal Entries                       Perpetual
General Ledger (maintained electronically)     Perpetual
Inventory List (maintained annually for audit) Perpetual
Invoices (Accounts Receivable)                 7 years
Payroll Journal                                7 years
Petty Cash Vouchers                            7 years
Subsidiary Ledgers (Accounts Receivable,      Perpetual
Accounts Payable, etc.) (Maintained
Electronically)
Fixed Assets                                   Perpetual
Time Cards                                     5 years

Corporate Records

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

Employee Benefits

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

**Employee Files**
- Employee Tax Records: 4 years
- Garnishments: 5 years

**Health, Medical, and Safety**
- Family Medical Leave Act (FMLA): 3 years
- Job related illnesses and injuries: 5 years
- OSHA Log: 5 years
- Requests for accommodation of disability: 1 year

**Toxic substance exposure records**: 30 years
**Worker's Compensation Claims**: 30 years

** Hiring Records**
- Job applications, resumes, records relating to refusal to hire, advertisements about openings, promotions, or training opportunities: 1 year
- I-9: 3 years after hire or 1 year after termination, whichever is later.

**Insurance Plans and SPD’s**: 6 years

**Separation Agreements**: 10 years

**Legal**

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

**Operations**
- Applications: Perpetual
- Examinations: Perpetual
- Examination Items/Questions: Perpetual
- Examination Incident Files: Perpetual
| Examination Scores/Result Files | Perpetual |
| Maintenance of Certification Records | Perpetual |

**Real Estate**

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

**Tax**

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

### 4.2 Financial Management Policies

**Policy:** With approval from the ABO Treasurer, the ABO staff executes the financial decisions of the Board.

**Procedure:**

1. ABO staff executes financial transactions based on the Annual Budget that has been approved by the Board of Directors.
2. The ABO staff provides requested financial information to the Treasurer and Internal Audit Committee.

### 4.2.1 Credit Card Policy

**Policy:** To financially benefit the ABO, an ABO credit card has been established with which ABO staff can make purchases for the organization. The credit card is only to be used when this
alternative payment method is beneficial for the ABO to do so. The credit card is for business use only.

**Procedure:**
1. The Executive Director has the power to issue credit cards to select staff and Board of Directors.
2. Receipts are required for each transaction made on the ABO credit card for record purposes.
3. The credit card is the property of the ABO, not the cardholder, and user privileges can be rescinded at any time.
4. The monthly credit card statement must be submitted to the ABO Operations Manager promptly for payment.
5. The cardholder is responsible for the credit card’s security. This includes signing the back of the credit card, contacting the credit card company regarding suspect transactions personally, notifying the credit card company in the case of loss, cutting up expired or canceled cards and other measures to keep the ABO line of credit safe.

### 4.2.2 Refund Policy

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

**Procedure:**
1. No refunds are given for application fees.
2. Full refunds are awarded for exam fees prior to the exam. Candidates must withdraw from the exam on the Prometric website.
3. In order to prevent a change fee Candidates must withdraw 31 days or more prior to the scheduled exam date.
4. Cancelling or withdrawing from the exam within 30 to 7 days prior to the scheduled exam date will incur a Change Fee of $25.
5. Any cancellation/withdrawal less than 7 days prior to the scheduled exam date will result in a Cancellation Fee of $200.

### 4.3 Nondiscrimination Policy

**Policy:** The American Board of Optometry (ABO) is a 501 (c) (6) nonprofit organization dedicated to providing an environment free from discrimination due to race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, age and marital or veteran status. This policy ensures that equal employment and opportunity is provided to all individuals without regard to the above qualities.

Any optometrist who applies for ABO Board Certification and completes the requirements can earn the credential of Diplomate, regardless of his or her race, color, religion, creed, national origin, ancestry, disability, gender, sexual orientation, age and marital or veteran status. All Diplomates are given equal opportunity to maintain their certification.
In addition, the ABO strives to provide reasonable accommodations to employees and volunteers with disabilities and abides by the Equal Employment Opportunity Act as well as applicable state and local laws governing nondiscrimination.

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

**Procedure:**

1. All suspected acts of discrimination are thoroughly investigated by the ABO Board of Directors. Disciplinary action is taken against ABO employees and volunteers who do not abide by this nondiscrimination policy.
2. If you suspect discriminatory action within the ABO, please contact the ABO offices at info@abopt.org or 314-983-4244.

4.4 **Code of Professional Business Practices and Conduct**

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

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

**Procedure:**

1. **Compliance with Laws, Rules and Regulations:** Obeying all applicable laws, both in letter and spirit, is the foundation on which ABO's professional and ethical standards are built. No one acting for or on behalf of ABO should take any action (s)he knows or reasonably should know violates any applicable laws, rules or regulations.
2. **Conflicts of Interest:** A "conflict of interest" exists when, in the course of employment or work for ABO, judgment and discretion is or may be influenced by considerations of personal gain for one's self, a family member, friend or third party. All decisions for ABO should reflect the best independent judgment and discretion possible, uninfluenced by any considerations other than what is honestly believed to be in the ethical best interest of ABO. Anyone acting for or on behalf of ABO must conduct himself/herself in an ethical manner, and avoid any direct or indirect conflict of interest. It is not possible to address every possible potential conflict of interest situation.
These conflicts of interest provisions are in addition to ABO's Conflicts of Interest Policy.

a. *External Opportunities:* Anyone acting for or on behalf of ABO is prohibited from taking, for his/her own personal benefit, any opportunity that is discovered through employment or association with ABO. No one acting for or on behalf of ABO may use any ABO property, information, or position for improper personal gain. Those acting for or on behalf of ABO owe a duty to ABO to advance its legitimate interests when an opportunity to do so arises.

b. *Gifts and Entertainment:* The purpose of business entertainment and gifts in a commercial setting is to create goodwill and sound working relationships; not to gain an unfair advantage. No gift or entertainment should ever be offered, given or provided unless it: (1) is not a cash or cash equivalent gift, (2) is nominal in value, (3) is consistent with customary business practices, (4) cannot be construed as a bribe or payoff, or reasonably perceived as a response to past, current, or future favors, and (5) is not in violation of any policy regarding gifts and entertainment of the organization or business with which the recipient is associated.

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

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

c. *Disclosure:* If you believe you have a conflict or potential conflict of interest, the situation should immediately be reported to the Chairman of ABO's Board of Directors. (See Conflict of Interest Policy.)

3. *Record-Keeping, Financial Controls and Accounting Practices:* ABO requires honest, accurate and timely recording and reporting of information in order to make responsible business decisions.

All expense accounts must be timely and accurately documented and recorded. If you are not sure whether a certain expense is legitimate, ask ABO's Chairman or Executive Director.

All of ABO's books, records, accounts, and financial statements must be maintained in reasonable detail, must accurately reflect ABO's transactions, must be promptly disclosed in accordance with any applicable laws and regulations, and must conform to both applicable legal requirements and to ABO's system of internal controls.
From time to time business records and communications may, for legitimate reasons, become public. Avoid exaggeration, derogatory remarks, guesswork, or insulting characterizations of people and companies. This applies equally to e-mail, voice mail, internal memos, and formal reports.

Records should always be retained or destroyed according to ABO's Records Retention Policy.

4. **Fraudulent or Deceptive Practices:** Anyone acting for or on behalf of ABO must not participate in any fraudulent or deceptive activity involving ABO, its members, suppliers, contractors, employees, agents or anyone else with whom ABO associates or does business.

5. **Misuse of Confidential Information:** Anyone acting for or on behalf of ABO must maintain the confidentiality of information entrusted to them by ABO or its representatives or suppliers. Confidential information includes all non-public information about ABO, its representatives and suppliers. The obligation to preserve the confidentiality of confidential information continues even after employment or association with ABO ends.

6. **Public Statements:** In writing an article or making a statement or speech, anyone associated with ABO should avoid creating the impression that a position or statement on a subject is the policy of ABO or an ABO entity, when that position in fact has not been adopted as ABO policy by ABO Board of Directors. An ABO volunteer or staff person should be careful to distinguish between ABO policy and his or her own personal views.

In some such cases, the individual who authored the article, statement or speech will be identified in the publication, document or program as an ABO representative. Where necessary, or where it would be a prudent safeguard to prevent any confusion or misunderstanding, the article, statement or speech should include the following disclaimer: "The views expressed are those of the author and do not necessarily reflect the views of the American Board of Optometry."

**Category 5, Professional Test Development**

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

**5.1 Contract**

**Policy:** Prometric handles all testing development and delivery for the American Board of Optometry.

**Procedure:**

1. At the annual Board of Directors meeting, the Executive Director discusses all contracts with the Board, including the testing development/delivery contract with Prometric.
2. This contract outlines all tasks and responsibilities of both Prometric and the ABO in regard to examination development. Prometric publishes a detailed calendar of deadlines for both parties.

5.2 Accountability/Responsibility

Policy: Prometric is held accountable for the quality of the Board Certification exam as well as its adherence to professional standards.

Procedure:
1. Prometric maintains a diverse staff that handles the multiple components of the ABO Board Certification examination. Each staff member communicates with the account manager responsible for the ABO account, who, in turn, corresponds with the ABO Executive Director and other ABO employees.
2. At the annual Board of Directors meeting, the Executive Director discusses Prometric’s delivery of services.

5.3 Item Writing and Item Review Committees

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

Procedure:
1. Test development projects and procedures are outlined in the annual budget as well as the ABO annual calendar.
2. Item Writing and Item Review Committee members and Prometric meet before each exam at workshops to help volunteers draft and revise new items.

5.4 Communication

Policy: In order to maintain the integrity of the exam, constant communication between the ABO and Prometric must continue throughout the year.

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

Policy: To ensure that the Board Certification examination content is aligned with professional standards, the ABO and Prometric collaborates on a practice analysis job every five years.

Procedure:
1. No less than 12 months before the scheduled job analysis, Prometric and the ABO start discussing a contract for the practice analysis and planning for the procedure.
2. Prometric outlines its methodology and job analysis tactics for the ABO.
3. Together the ABO and Prometric determine which areas of the profession need a practice analysis conducted, how many respondents should participate and other relevant details.
4. The practice analysis contract must be agreed upon and signed by both the ABO and Prometric no later than three months prior to the scheduled date for the practice analysis. This contract outlines a timeline and details such as instrument specifications, random sampling, demographics of participants, task significance scales, content weight and other details of the job analysis.
5. Board Certification exam content for the following five years reflects the conclusions of the practice analysis.

5.6 Use of Practice Analysis Data

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

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

5.7 Item Writing and Item Review

Policy: To ensure the integrity and standards of the exam, the ABO partners with Prometric to conduct item writing and item review workshops. Items developed at these workshops are added to the ABO item bank that Prometric utilizes to publish each Board Certification exam.

Procedure:
1. The ABO and Prometric hold item writing and item review sessions on annual basis. The Item Writing and Item Review Committees invite Diplomates, as Subject Matter Experts (SME) to participate in the multiple day workshops.
2. Members of the Form Review team then review and update the drafted content to finalize items for each exam.
3. Prometric is responsible for ensuring that each item is in its proper format and for entering each new item into the bank.
4. A final review of the ABO exam is performed by the Executive Director, Chairman of the Board and Item Writing and Item Review Chairs.
5.8 Examination Development for Proctored Computer-Based Testing

Policy: New items are created for each exam, so that no two exams are identical, which contributes to the integrity of the exam as well as its success in meeting professional standards.

Procedure:
1. Exams are published semi-annually using a combination of new and previously tested items.
2. The exam consists of 240 multiple choice items, chosen from the item bank by Prometric and the Form Review team.
3. The Board of Directors and staff review the exam to ensure its accuracy, fairness, integrity and functionality. Revisions are submitted to Prometric, and updates are made prior to final publication.
4. A final version of the exam is reviewed and approved by the Executive Director.

5.9 Proctored Computer-Based Examination Administration

Policy: Prometric administers the Board Certification exam at specific testing locations semi-annually, in January and July. The procedures below outline proctoring for the exam, which is completed by Prometric.

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

5.10 Technical Report

Policy: Following each Board Certification exam, Prometric will supply upon request from the ABO a technical report that outlines issues such as test specifications, reliability of the exam, score statistics and other relevant information.

Procedure:
1. The report evaluates score statistics for the general practice section and each area of emphasis section, including minimum scores, maximum scores, mean scores, skew, standard deviation and more.
2. Pass and fail rates are included on the technical report.

5.11 Standard Setting, Cut Score Determination and Equating

Policy: Following each job analysis, the ABO and Prometric collaborate to determine a cut score through a process approved by the National Commission for Certifying Agencies (NCCA).
Procedure:
1. Following a new job analysis, the ABO Board of Directors selects a panel of at least five Subject Matter Experts (SMEs) for participation in a standard setting study. Demographics, experience in optometry and other defining characteristics are taken into consideration during this selection process.
2. With the aid of Prometric, the panel begins to determine cut scores through the use of the Angoff method. The SMEs determine the standard of minimal competence for Board Certification through discussion of the minimum level of knowledge a candidate should have in categories of basic knowledge, fundamental understanding, working knowledge and more.
3. Utilizing an NCCA-approved psychometric method, the panel of experts determines ratings based on the following question: “How many out of 100 minimally qualified candidates do you think will answer this question correctly?” Through practice examinations and group discussion, the SMEs rate each item, resulting in recommended cut scores.
4. The ABO Board of Directors convenes a final standard setting meeting to review the panel recommended cut scores, as well as other statistically valid cut scores, and makes the final decision in accordance with Prometric.
5. Prometric conducts an equating process for each board certification exam utilizing past exams.
6. Prometric develops a cut score report, reliability report, equating report and standard setting report for ABO to keep in its records.

5.12 Establishment of a Pass/Fail Database

Policy: Prometric handles all scoring, including assigning pass/fail status to each candidate based on the standard setting and cut scores determined by the ABO. Prometric forwards these scores to the ABO, who notifies each candidate of his or her score.

Procedure:
1. Following the exam, Prometric creates score reports for each candidate, which are placed on a secure FTP site for the ABO to review. The ABO staff contact the candidates themselves, by a pass or fail letter and through the MyABO portal online.
2. Through the aid of CE City, the ABO maintains a candidate and Diplomate database which houses all personal information and limited exam information, including exam date and pass/fail status but not exam scores. The ABO will update this database with new scores following each exam.
3. New Diplomates will be mailed an ABO Diplomate pin as well as other relevant informational literature.

5.13 Test Item and Security

Policy: The ABO Board of Directors, staff members and volunteers who participate in test development must sign a Confidentiality Agreement as well as a Conflict of Interest Agreement to ensure the integrity of the Board Certification Exam. Both documents make clear that specific details about the exam should be kept confidential.
Procedure:
1. All those who participate in test development are prohibited from copying test materials or keeping documents used during item writing/item review workshops.
2. Materials utilized during these item writing/item reviewing workshops are safeguarded by the Item Writing and Item Review Committees and may only leave the room under committee members’ supervision and authority.
3. Participants must wait two years after participating in an item writing or item review workshop before taking a Board Certification exam.
4. The ABO staff will maintain all Confidentiality Agreements and Conflict of Interest Agreements in the ABO office.

5.14 Candidate Guide

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

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

Category 6, Other Contractual Agents
The ABO retains legal counsel, database services, testing agents, auditors and more to ensure the validity and integrity of the Board Certification exam. The Board of Directors review these contracts annually and update as needed.

6.1 Legal Counsel

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

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

Policy: The auditor is responsible for all financial concerns of the ABO. He or she reports to the Treasurer, the Audit Committee and Board of Directors.

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

6.3 Testing Services

Policy: The ABO collaborates with a test development/delivery agency (currently Prometric) to ensure the accuracy and integrity of the Board Certification exam.

Procedure:
1. The testing services organization provides support for all exam elements, including development, proctoring and scoring.
2. The organization must comply with NCCA standards, which ensures the Board Certification exam is reliable, accurate and fair.
3. Successful security measures must be proven and utilized to ensure the integrity of the exam.
4. The organization will provide consultation to the ABO in regards to testing development and scoring.

6.4 Database Services

Policy: By working with an outside database management organization, the ABO ensures the security and confidentiality of candidate and Diplomate information.

Procedure:
1. The database services organization maintains all candidate and Diplomate records in a secure online database.
2. Limited ABO staff has access to these records through the use of a username and password.
3. The organization utilizes firewalls and other online security measures to ensure the protection of ABO records.
Category 7, ABO Board Operations

7.1 ABO Board of Directors Meetings

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

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

7.2 Board Meeting Agenda

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

Procedure:
1. Drafted by the Executive Director, the agenda includes all topics for discussion and must receive approval from the Chairman of the Board before it is sent to the Directors.
2. If a committee has literature to discuss at the meeting, it must be submitted to Directors no less than 72 hours prior to the meeting.
3. Directors are responsible for preparing themselves by reading the agenda and other accompanying literature prior to the annual meeting.
4. The agenda shall be generally outlined as follows:
   a. Welcoming statements/Call to Order
   b. Review and approval of previous meetings’ minutes
   c. Appointment of new/renewing Directors
   d. Election of Officers (if applicable)
   e. Report of the Chairman
   f. Report of the Executive Director
   g. Report of the Treasurer
   h. Committee Reports
   i. Old business/recurring discussion topics
   j. New business
   k. Annual calendar
   l. Good and welfare news
   m. Adjournment/Closing Statements

7.3 Board Meeting Minutes

Policy: Minutes are recorded for every Board meeting by the secretary of the Board, unless delegated to the Executive Director.
Procedure:
1. The secretary of the Board of Directors is responsible for taking minutes for every board of Directors meeting, arranging these minutes in a specific format and distributing them to the remainder of the Board.
2. Within 30 days of each meeting, the secretary submits a draft of the minutes to the Chairman of the Board for approval.
3. Within 7 days, the Chairman submits changes to the draft of minutes.
4. The secretary updates the minutes then distributes them to the remainder of the Board of Directors.
5. At the next board meeting, these minutes are approved and final copies are distributed to Directors.
6. The ABO staff stores a final digital copy of all minutes on-site for future reference.

7.4 ABO Committee Meetings

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

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

7.5 ABO Meeting Attendance

Policy: Directors must attend every Board of Directors meeting.

Procedure:
1. Directors are given one year advanced notice for each Board of Directors meeting, and it is their responsibility to make travel and lodging arrangements.
2. If Directors cannot make the meeting, will arrive late or must leave early due to an emergency, they must inform the Chairman.
3. If Directors are unable to perform the above duties by being present at Board of Directors meetings, they may be relieved of said duties and replaced.
Category 8, Confidentiality and Security

8.1 ABO Exam Development Confidentiality Agreement

Policy: The ABO Board of Directors, ABO Staff and test development volunteers agree to keep all exam details, including items, scores and other relevant information, confidential to protect the integrity of the exam.

The American Board of Optometry is responsible for its organization’s confidential information and that of its applicants, candidates and Diplomates. As an employee, volunteer or Board Director of the ABO, you must agree to protect this information and therefore the integrity of the organization.

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

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

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

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

Procedure:

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

Policy: The American Board of Optometry is responsible for its organization’s confidential information and that of its applicants, candidates and Diplomates. The ABO, in collaboration with Prometric and CE City, maintains all confidential records in a secure online database. Personal information and test scores are kept confidential. Limited ABO staff has access to these records, and all employees, volunteers and directors must agree to protect this information through a confidentiality agreement.

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

8.3 Conflict of Interest

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

Procedure:
1. Duty to Disclose
   a. In connection with any actual or possible conflicts of interest, an Interested Person must disclose the existence and nature of his or her Personal Interest to the Board, applicable Committee members, or other applicable persons who are considering the proposed transaction or arrangement.
   b. No Interested Person shall be authorized to enter into any contract on behalf of ABO or commit ABO or its resources in any way regarding any transaction or arrangement in which the Interested Person's Personal Interest is implicated, unless specifically authorized by the Board.
2. Determining Whether a Conflict of Interest Exists
a. After disclosure of the Personal Interest and all material facts, and after any discussion with the Interested Person, the Interested Person shall leave the Board or Committee meeting while the Personal Interest is discussed and voted upon by the remaining Directors or Committee members, who shall decide if a conflict of interest exists.

b. If a consensus is not reached within a Committee, but the Committee determines that no conflict of interest exists, any dissenting Committee member may—but is not required to—bring the matter to the attention of the Board, which will review the Committee's decision regarding the existence of a conflict of interest and may either ratify or override it.

3. Procedures for Addressing a Conflict of Interest
   a. An Interested Person may make a presentation at the Board or Committee meeting during which a transaction or arrangement involving a possible conflict of interest is being considered but, after the presentation, such Interested Person shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

   b. The Chairman of the Board or Committee shall, if appropriate, appoint a disinterested person, Committee, or task force to investigate alternatives to the proposed transaction or arrangement.

   c. After exercising due diligence, which may include conformance with paragraph 3(b) of this Article III, the Board or Committee shall determine whether ABO can reasonably obtain a more advantageous transaction or arrangement from a person or entity under circumstances that would not give rise to a conflict of interest.

   d. If a more advantageous transaction or arrangement is not reasonably obtainable under circumstances that would not give rise to a conflict of interest, the Board or Committee shall determine by a majority vote of the disinterested Directors or Committee members: (1) whether the transaction or arrangement is in ABO's best interest and for ABO's own benefit; (2) whether the transaction is fair and reasonable to ABO; and (3) whether to enter into the transaction or arrangement in conformity with such determination.

   e. A conflict of interest transaction is properly authorized, approved, or ratified if it receives the affirmative vote of a majority of the Directors on the Board or members of the applicable Committee, who have no direct or indirect interest in the transaction, but a transaction may not be authorized, approved, or ratified by a single Director or single Committee member. If a majority of the Directors on the Board, or members of the applicable Committee, who have no direct or indirect interest in the transaction vote to authorize, approve or ratify the transaction, a quorum is present for the purpose of taking action under this Policy. The presence of, or a vote cast by, a Director or Committee member with a material interest in the transaction does not affect the validity of any action taken if the transaction is otherwise approved as provided in this Policy.

   f. A conflict of interest transaction is not voidable or the basis for imposing liability on a noncompensated Director, officer, or Committee member if the transaction was not unfair to ABO at the time it was entered into or is approved as provided in this Policy.

4. Violations of this Policy
a. If the Board or Committee has reasonable cause to believe that a Director, officer, or Committee member has failed to disclose an actual or possible conflict of interest, it shall inform that person of the basis for such belief and afford him or her an opportunity to explain the alleged failure to disclose.

b. After hearing the response of the Director, officer, or Committee member, the Board or Committee shall make further investigation as may be warranted in the circumstances. The Board or Committee shall then determine whether the Director, officer, or Committee member has in fact failed to disclose an actual or possible conflict of interest. If so, it shall take appropriate corrective action.

c. If a consensus is not reached within a Committee, but the Committee determines that the Committee member has not failed to disclose an actual or possible conflict of interest, any dissenting Committee member may — but is not required to — bring the matter to the attention of the Board, which will review the Committee's decision and may either ratify or override it.

Perceived Conflicts
5. ABO wishes to set high standards of integrity and openness. As such, it strives to have its publicly perceived image reflect the true nature of ABO. To avoid having that image tarnished in any way, ABO shall be wary of perceived conflicts of interest.

6. ABO and Directors, officers, and Committee members shall take steps to eliminate or, at the very least, minimize any perceived conflicts of interest.

7. Perceived conflicts of interest shall be raised with the Board, which shall determine if an actual or perceived conflict exists.

8. If a perceived conflict exists, the Board shall take the necessary and appropriate steps to eliminate or minimize the perceived conflict.

Records of Proceedings
9. The Board and all Committees shall keep and maintain minutes of each of its meetings relating to an actual or possible conflict of interest.

10. The minutes of the Board and all Committees relating to an actual or possible conflict of interest shall be kept in a central location and contain, among other things:
   a. the names of the persons who disclosed or otherwise were found to have a Personal Interest in connection with an actual or possible conflict of interest;
   b. the nature of the Personal Interest;
   c. any action taken to determine whether a conflict of interest was present;
   d. the Board's or Committee's decision as to whether a conflict of interest in fact existed;
   e. the names of the persons who were present for discussions and votes relating to the transaction or arrangement;
   f. the content of the discussion, including any alternatives to the proposed transaction or arrangement; and
   g. a record of any votes taken in connection with the proposed transaction or arrangement.
Compensation
A person who (1) is a voting member of the Board or any Committee whose jurisdiction includes compensation matters, and (2) receives compensation, directly or indirectly, from ABO for services is precluded from voting on matters pertaining to that person's compensation.

Annual Statements
All Directors, officers, and members of any Committee with governing board delegated powers shall annually sign a statement which affirms that such person:
   a. has received a copy of this Policy;
   b. has read and understands this Policy;
   c. has agreed to comply with this Policy; and
   d. understands that ABO is a nonprofit organization and that, in order to maintain applicable federal tax, property tax, and other tax exemptions, it must engage primarily and sometimes exclusively in activities which accomplish one or more of its tax-exempt purposes.
   e. has disclosed any potential conflicts of interest.

Periodic Reviews
To ensure that ABO operates in a manner consistent with its purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax and other applicable taxes, periodic reviews should be conducted at the direction of the Board of Directors.
In conducting such periodic reviews, ABO may, but need not, use and rely on outside experts or advisors. If outside experts or advisors are used, their use shall not relieve the Board or Committees of their responsibility for ensuring that periodic reviews are conducted.

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

Definitions
1. "Board" means the Board of Directors of ABO, as defined or referred to in ABO's Articles of Incorporation or Bylaws.
2. "Committees" means, refers to, and includes, any and all committees or task forces authorized by ABO's Bylaws, or the Board. The term "Committee" (in the singular form) shall refer to any one committee or group in a general sense. A "Committee member" is a member, whether voting or ex officio, of any Committee.
3. "Compensation" means and includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.
4. "Director" means any member of the Board.
5. "Interested Person" means any Director, officer, or Committee member who has a direct or indirect Personal Interest, as defined below.
6. "Personal Interest" means that a person has, directly or indirectly, through business, investment, family, or other relationship:
a. an ownership or investment interest in, or Compensation arrangement with, any entity with which ABO has a transaction or arrangement;
b. a Compensation arrangement with ABO or with any entity or individual with which ABO has a transaction or arrangement;
c. an existing or potential ownership or investment interest in, or Compensation arrangement with, any entity or individual with which ABO is negotiating a transaction or arrangement; or
d. any other relationship that affects the independent and sound judgment of the person acting on behalf of ABO.

8.4 Whistleblower Policy

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

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

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

1. Claims of improper action should be brought to the Executive Director. In the event that the claim involves the Executive Director it may be brought to the President, or alternatively to any member of the Executive Committee if the President also is involved with the claim.
2. The Executive Director, or alternatively the President or Executive Committee member to whom the claim is brought, shall appoint an investigating officer who shall initiate an investigation of the claim(s) and shall control the scope and activities of the investigation.
3. Once a retaliation complaint is made, the investigative and hearing process shall be treated as a confidential matter by all parties until a final decision is rendered.
4. The Board of Directors as a whole, without any member who is involved in the investigation or part of the claim present, shall review the reports and evidence of the investigating officer, shall make findings of fact in such cases, and have authority to issue binding decisions in accordance with the provisions of this policy.

5. It is the Board’s expectation that all cases brought to its attention should be decided in a thorough but expedient manner. As a guideline, a term of no more than sixty (60) calendar days is the expectation for resolution of complaints.

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

Handling of Reported Concerns: All Concerns received by the Chairman or other member of the ABO Board of Directors will be promptly investigated.

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

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

Category 9, Judicial and Ethics Process

9.1 Disciplinary Policy

Policy: The American Board of Optometry is dedicated to safe and qualified eye care and therefore strives to protect the integrity of its board certification exam. The organization does not tolerate cheating, falsification, or inappropriate conduct. Violations include but are not limited to the following:

a. Cheating or attempting to cheat on the Board Certification exam, including but not limited to illegally obtaining, reproducing or copying exam materials.
b. Aiding another in cheating or attempting to cheat on the Board Certification exam.
c. Misrepresentation or falsification of requirements, including residencies, fellowships and education.
d. Falsification of Diplomate status.

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

Procedure: Those found in violation of ABO policies face disciplinary action, determined by the ABO Board of Directors.

9.2 Purpose of the Judicial and Ethics Review

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

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

9.3 Types of Complaints

Policy: The ABO has outlined a list below that includes, but is not limited to, situations that could threaten the integrity of the Board Certification exam and/or the reputation of the ABO, and therefore would require a denial of Board Certification and/or disciplinary action.

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

Policy: The American Board of Optometry strives to protect the integrity of its Board Certification by providing a fair certification process, from application submission to the awarding of Diplomate status and through the maintenance of certification process. The Judicial and Ethics Committee is responsible for investigating any complaint or accusation made. The accused must be notified of the charge at least 30 days before action is taken to provide him or her enough time to provide a defense to the committee.

Procedure:
1. Following a complaint, the Judicial and Ethics Committee must notify the accused of the complaint in writing. The accused then has 30 days to build a written defense of his or her actions or inactions to present to the committee. Lack of a response from the accused will be taken as an admittance of guilt, which should be made clear to the accused.
2. If a written defense is submitted, the Judicial and Ethics Committee will review it and discuss the possibility that a violation against the ABO and Board Certification was made. If the Judicial and Ethics Committee determines there is probable cause, a hearing date for the accused is set no less than 30 days from this decision.
3. The accused may have legal representation and will have these 90 days to prepare for his or her formal hearing.
4. The Judicial and Ethics Committee designates a Director not on the committee to act as an investigator. He or she will contact all parties who may have information on the case and will attempt to learn as much about the complaint as possible, including finding viable witnesses and evidence.
5. At the formal hearing, each side is allowed to have witnesses. Opening and closing arguments are also allowed. A recording of the hearing will be made to allow the Judicial and Ethics Committee to review the proceedings at a later time.
6. Following the hearing, the Judicial and Ethics Committee will privately discuss evidence supplied by each side. A vote is taken to determine if a violation was made. A majority vote is needed. If it is determined that a violation did take place, another vote is taken to determine disciplinary action. Again, a majority vote is needed. The Committee must then report their findings to the Board of Directors.
7. If the Judicial and Ethics Committee determines a violation has been made and the Board of Directors concurs to take action, the accused may make a formal written appeal within 30 days. The Committee then makes a decision to either uphold its original decision or makes a new one. A majority vote is needed.
8. If new information or evidence is presented in this appeal, the committee may decide to discuss the new findings with the Board of Directors and reconsider the action. An investigation must take place to determine if the information is valid. If it is, a rehearing date will be set.
Category 10, Board Certification

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

10.1 Eligibility

Policy: To achieve eligibility to take the Board Certification exam, a candidate must fulfill all educational and clinical practice requirements.

Procedure:
1. Qualifying requirements must be fulfilled before an application can be approved by the ABO, allowing the applicant to become an ABO Board Certification candidate. These include graduation from a School or College of Optometry accredited by the Accreditation Council on Optometric Education (ACOE) and an active license to practice therapeutic optometry in a State, District of Columbia, U.S. Commonwealth or Territory. Verifying these accomplishments can take the ABO up to 30 days.
2. To register for the Board Certification exam, a candidate must attain 150 points within the three years prior to taking them exam. These points can be attained through approved residencies, fellowships, active clinical experience and continuing education efforts.
3. If the Board Certification process is not completed within three years of candidacy, active candidate status may be renewed for up to three years total by submitting proof of completion of 50 points toward the Post-Graduate requirements for each year of eligibility.
4. Once Post-Graduate requirements are completed and verified by the ABO, the candidate may register for the Board Certification exam through Prometric.

10.2 ABO Examination Registration

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

Procedure:
1. After candidates are granted eligibility to register for the Board Certification exam by the ABO, they can view seat ability at a Prometric Test Center to view their exam location and date options at www.Prometric.com/abopt.
2. Once a location and date has been identified, the candidate registers for the exam through the ABO website, www.abopt.org, by signing in and clicking on the Register button in his or her portal. Once payment is submitted, the candidate will be directed to the Prometric website to choose his or her exam location and date.
3. For any rescheduling or other issues relevant to taking the exam, the candidate must contact Prometric. Those wishing to cancel an examination should contact the ABO.
10.3 Americans with Disabilities Act Accommodations

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

 Procedure:
 1. Board Certifications are structured to evaluate a candidate’s knowledge and skills in the optometric profession.
 2. The ABO partners with Prometric to ensure that the Board Certification exam is compliant with ADA requirements.
 3. During registration, the candidate also must contact the ABO for a release of information form relative to an accommodations request. Documentation submitted in support of a request may be referred by the ABO to experts in the appropriate area of disability for a fair and impartial professional review. Recent documentation of disability is required.
 4. Prometric has its own policies and procedures regarding ADA accommodations that ensure the candidate can take the exam to the best of his or her ability. The ABO will contact Prometric to set up reasonable accommodations for the candidate.

10.4 Language Requirements

 Policy: The ABO Board Certification is offered only in English.

10.5 Score Reports

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

 Procedure:
 1. After Prometric completes scoring, results are sent to the ABO.
 2. The ABO notifies candidates of their score and pass/fail status through a written letter sent by U.S. mail and later, scores are posted to each candidate’s ABO portal online.
 3. Candidates who pass the Board Certification become ABO Diplomates and are notified through the pass letter as well as through a later correspondence, which includes a Diplomate Guidelines document. Certificates are issued within 8 weeks of the receipt of the score reports.
 4. Scores are never released over the phone.
 5. Scores are never released to anyone but the candidate unless express written consent has been given.

10.6 Retesting

 Policy: In the event that the candidate did not pass the ABO Board Certification exam, he or she will have another opportunity to retake the exam by completing the requirements, also outlined in the Candidate Guide.
Procedure:
1. Active Candidate status is valid for up to three years from the application submission date. Once Post-Graduate Requirements are complete, the candidate may take the Board Certification exam as many times as is necessary within this time frame.
2. Active candidate status may be renewed for up to three years total by submitting proof of completion of 50 points toward the Post-Graduate requirements for each year of eligibility.
3. Full registration fees are charged for each exam.

10.7 Invalidating Board Certification

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

Procedure:
1. Once the ABO becomes aware of the Diplomate’s indiscretion, the Judicial and Ethics Committee will be notified to take action.
2. If the Judicial and Ethics Committee decides that a violation has been made and disciplinary action includes the invalidation of certification, the ABO notifies the Diplomate of this through a written letter.
3. The ABO staff removes this person from all public and private Diplomate lists and databases.

Category 11, Diplomate Guidelines

11.1 Maintenance of Certification

Policy: The American Board of Optometry created the Maintenance of Certification program to help structure a Diplomate’s board certification status. The ABO requires each Diplomate to participate in the Maintenance of Certification program for the period of ten years that Diplomate status is valid. The ten-year cycle framework ensures ABO education requirements are being met and professional competence is sustained. Each cycle consists of three three-year stages and an examination year. This process is outlined in the Candidate Guide as well as on the ABO website.

Procedure:
1. The Maintenance of Certification program consists of four components:
   a. Possession of a valid therapeutic license
   b. Continuing education and Self-Assessment Modules (SAMs)
   c. Passing of a validated computer-based patient assessment and management examination
   d. Performance in Practice Modules (PPMs)
2. In each of stages one, two and three, board certified optometrists must complete 150 total points within the three years of each cycle, including the following:
   a. Two Self-Assessment Modules (SAMs – worth 10 points each)
b. Performance in Practice Module (PPM – worth 30 points)
c. 100 total points over the three years from other educational activities, at least 50 percent from Category 1 Education.

3. Continuing Education is split into two categories. Guidelines, expressed on the ABO website, outline the required amount of points from each. Only continuing education approved by the ABO will count toward these 100 points.

4. Each Maintenance of Certification Year begins on January 1. Diplomates who become board certified prior to April 1 of the year begin their MOC January 1 of that same year.

5. The annual Maintenance of Certification fee is $150 and is payable during the first quarter.

11.2 Use of Logo and Title

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

Procedure:
1. The ABO logo and title may only be used by Diplomates in good standing.
2. The ABO logo and title may not be used as an abbreviation after a Diplomate’s name as a university degree is used.
3. The ABO logo and title may be used only to the extent permitted by law.
4. The ABO logo and title may not be used in a way that suggests that the ABO approves or disapproves a particular service, product, treatment modality or procedure.
5. The ABO logo and title may not be used in a misleading, deceptive or fraudulent manner or to deceive the public.
6. The ABO logo is a registered trademark and must be used in its entirety; it may not be distorted, merged or assimilated with any other design or trademark.
7. The ABO logo may be reproduced only in its original color scheme, all white or all black.
8. Approved designations of the ABO Diplomate title include the following. The title is not to be used in any other way.
   a. Diplomate, American Board of Optometry
   b. Board Certified, American Board of Optometry
   c. Certified, American Board of Optometry

11.3 PQRS+MOC Program

Policy: ABO Diplomates have the opportunity to earn an additional financial incentive of 0.5% by participating in PQRS and the ABO Maintenance of Certification Program. Requirements to qualify for the additional incentive payment are outlined on the ABO website and below.

Procedure:
1. Diplomates must satisfactorily submit data on quality measures via PQRS reporting for a 12-month period, either as an individual physician or as a member of a selected group practice.
2. Participation in the ABO Maintenance of Certification above ABO expectations is required.
3. Diplomates must also take part in a patient experience of care survey in the current year.
4. An additional, above requirements, Performance in Practice Module participation is required in a future year.