

Approved By:

I. PURPOSE: The purpose of this policy is to establish guidelines for Department of Professional and Occupational Regulation and examination vendor/contractor staff to follow when dealing with prohibited conduct or irregularities at examination sites.

II. POLICY STATEMENT: Pursuant to § 54.1-102 of the *Code of Virginia*, it is unlawful for any person to procure or assist another individual to procure, through theft, fraud or other illegal means, a license, certificate, permit, or other authorization issued by the Department. Conduct exhibited by an examination candidate at examination sites that compromises the validity, reliability and security of the examination as well as the efficient and effective administration of the examination is prohibited.

III. DEFINITIONS:

Prohibited Conduct Any behavior taking place before, during, or after an examination that compromises the validity, reliability or security of an examination; is disturbing to others; or detracts from the efficient and effective administration of an examination including, but not limited to:

- Looking at another candidate’s computer screen, test booklet, or giving improper assistance to another candidate during administration of an examination.
- Unauthorized use of electronic devices. These devices include but are not limited to: cell phones, smart watches, audio and video recording devices, cameras, spy equipment, and other communication devices.
- Use of notes, sample tests, references, answer keys, calculators, manuals, note pads, or other aids that have not been explicitly approved for use during the examination.
- Copying, recording, transmitting or attempting to copy, record, or transmit examination items, questions, answers, or other content in any form. This includes writing in authorized reference materials during open-book exams and writing in or on unauthorized note or scratch pads.
- Reconstructing or attempting to reconstruct from memory any examination content for any purpose.
- Receiving, soliciting, or possessing current or prior examination content from a person who was not explicitly authorized in writing by DPOR to share the examination content.
- Communicating with any person before, during, or after the examination about specific examination items, questions, answers, or other confidential examination content.
- Exhibiting irrational or disruptive behavior at the examination site.
- Continuing to respond to exam questions whether verbal, online, or in writing after time has been called.

- Impersonating or attempting to impersonate an examination candidate, or using or attempting to use false identification to take an examination.
- Allowing another person to take or attempt to take your examination.
- Failure to follow any provision of the Candidate Information Bulletin/Handbook or instructions given at the examination site.
- Any non-compliance with § 54.1-102 of the *Code of Virginia*.

Irregularity Report

This report is prepared by DPOR examination proctor(s) that details irregularities encountered during the administration of an in-house examination. Examples of irregularities include emergencies, improper identification, disturbances, or any prohibited conduct defined above.

IV. RELATED DOCUMENTS:

- ➔ [Testing Irregularity Report](#)
- ➔ [Examination Agreement](#)

V. GENERAL PROVISIONS:

A. EXAMINATION SITE CONDUCT AGREEMENT

Prior to administration of the examination, all approved examination candidates shall be required to read, complete, sign, and submit an [Examination Agreement](#) provided by the Department of Professional and Occupational Regulation which acknowledges the candidate's understanding of actions that constitute prohibited conduct and any consequences associated with the conduct.

B. HANDLING PROHIBITED CONDUCT

When prohibited conduct is observed at an examination site, proctors are encouraged to exercise sound judgment in handling each incident. Proctors are discouraged from confronting hostile candidates, making physical contact with a candidate, or placing themselves in a position where the candidate could harm them. If possible, the conduct should be brought to the attention of a second proctor to corroborate the incident. All observations of prohibited conduct shall be handled in accordance with the specific guidelines below and documented on a [Testing Irregularity Report](#). Specific guidelines are as follows.

1. In situations where a candidate is looking at another candidate's computer screen, answer sheet/test booklet, or giving assistance to another candidate during administration of an examination, the proctor shall reclaim all examination materials and expel the candidate from the test site.
2. In situations where there is unauthorized use of electronic devices, notes, unauthorized notes or scratch pads, sample tests, references, and answer keys during the administration of an examination, the proctor shall reclaim all examination materials and expel the candidate from the test site.
3. In situations where the candidate is copying, recording, transmitting, or attempting to copy, record, or transmit in writing, electronically or by other means, any part of an examination, with or without intent to remove the material from the examination room, the proctor shall reclaim all examination materials, both authorized and unauthorized, and expel the candidate from the test site.
4. In situations where a candidate exhibits distracting or disruptive behavior at the examination site:
 - a. The proctor shall discuss the observed behavior with the exam candidate and request correction of the behavior.
 - b. If the prohibited conduct continues, the proctor shall reclaim all examination materials and expel the candidate from the test site.
5. Continuing to respond to exam questions whether verbal, online, or in paper/pencil format after time has been called:
 - a. The proctor shall warn the candidate that time has been called.

- b. After the initial warning, any continuation of the prohibited conduct shall result in the collection of all examination materials and expulsion from the test site.
6. Any determination of false identity, impersonation, or an attempt to use false identification to impersonate an examination candidate will result in immediate expulsion from the test site. The proctor shall reclaim all examination materials, document the incident, and make copies of any documents provided by the candidate.