

# Policy and Procedures for Testing Irregularities

Updated April 2015

The following policy has been established by NCARB's Board of Directors to provide procedures in the event of Architect Registration Examination® (ARE®) testing irregularities. Testing irregularities include, but are not limited to, the particular violations described below, any other violation of ARE test center regulations, and any other misconduct, inappropriate behavior, or breach of examination security under the ARE Guidelines for taking the ARE. The Board anticipates that these procedures will be applicable to most of the irregularities described. Nevertheless, the Board reserves the right, in particular instances, to impose any sanction it believes appropriate for testing irregularities, either more or less than those noted below. Action taken by the NCARB Board of Directors is final. In addition, if the individual subsequently seeks NCARB Certification, the matter will be considered in deciding whether or not to grant NCARB Certification.

The ARE is copyrighted and at the time each candidate takes the ARE, he or she also enters into a candidate agreement affirming, among other things, not to disclose any ARE questions or their content. Disclosure of test questions or content is a violation of NCARB's copyright and the candidate agreement. In addition to the sanctions described below, where warranted, NCARB may pursue all legal remedies available to recover monetary damages caused by such conduct and to enjoin violations of its rights with respect to the ARE.

Upon discovery of any testing irregularity in any category below, NCARB shall have the authority to place a 'hold' on pending scores and all open exam authorizations to test and cancel any scheduled exam(s) pending further investigation, review by NCARB's Professional Conduct Committee (PCC), and action by NCARB's Board of Directors if applicable. In the event that no action is taken or only a warning letter is issued, NCARB will reopen any closed authorizations to test and assist the candidate in rescheduling the canceled exam(s) at no additional cost to the candidate.

If any action results in the dissemination of ARE content, the action will be classified under category five below.

## **Procedures for Testing Irregularities**

**Category 1 Inappropriate Test Center Conduct** - Candidates are required to conduct themselves professionally and civilly at all times while following appropriate instructions given by the test center staff at the testing center. Candidates shall not engage in any behavior that is inappropriate, abusive, disruptive, threatening, or harassing in nature.

The consequences may be any or all of the following:

### Test Center Administrator action:

- Immediate dismissal from the test center premises.

### Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review.
  - Send candidate notification of PCC review and permit 30 days for response by candidate. Send copy to candidate's board.

NCARB PCC action:

- Following review, PCC may recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate's board.
  - Recommend action to NCARB's Board of Directors including any or all of the following:
    - Cancellation of score for the division.
    - Suspension of test taking authorization for all divisions for up to **1 year** from date of test administration or **such longer period as may be warranted in exceptional circumstances**
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

- Review and act upon final decision.
- Notification of action taken will be forwarded to the candidate and the candidate's board.

**Category 2 Unauthorized Access to Devices or Materials Outside Testing Room** – Electronic devices and written materials may not be accessed at any time during the examination appointment, except for persons testing under approved special accommodations conditions. Any other personal items (not including electronic devices and written materials) placed in lockers or other storage areas outside the testing room may be accessed by candidates **ONLY** during a **scheduled** break. A report will be filed identifying any candidate observed accessing unauthorized electronic devices or written materials during any **scheduled** or **unscheduled** break.

The consequences may be any or all of the following:

Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review.
  - Send candidate notification of PCC review and permit 30 days for response by candidate. Send copy to candidate's board.

NCARB PCC action:

- Following review, PCC may recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate's board.
  - Recommend action to NCARB's Board of Directors including any or all of the following:
    - Cancellation of score for the division.
    - Suspension of test taking authorization for all divisions for up to **1 year** from date of test administration.
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

- Review and act upon final decision.
- Notification of action taken will be forwarded to the candidate and the candidate's board.

**Category 3 Presence of Unauthorized Devices or Materials in Testing Room** – No electronic or other devices whatsoever (whether in the “on” or “off” position) and no written materials of any kind are permitted in the testing room, except for persons testing under approved special accommodations conditions. Prohibited devices include, but are not limited to, calculators, cell phones, pagers, personal digital assistants, text messaging devices, audio or video recording devices, scanners, language translators, and other devices. Prohibited written materials include, but are not limited to, any notes, books or written material whatsoever, whether or not related to the ARE. *No devices or written materials should be taken into the testing room, even if they are not used or referred to. If they are observed being used or referred to in the testing room, then such conduct is a more serious matter that is addressed under Category 4.*

The consequences may be any or all of the following:

Test Center Administrator action:

- Confiscation of unauthorized devices or materials by Test Center Administrator.

Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review
  - Send candidate notification of PCC review and permit 30 days for response by candidate. Send copy to candidate’s board.

NCARB PCC action:

- Following review, PCC may recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate’s board.
  - Recommend action to NCARB’s Board of Directors including any or all of the following:
    - Cancellation of score for the division.
    - Suspension of test authorization for all divisions for up to **1 year** from date of test administration.
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

- Review and act upon final decision.
- Notification of action taken will be forwarded to the candidate and the candidate’s board.

**Category 4 Use of Unauthorized Devices or Materials in Testing Room** – The use of or reference to any device or any written materials in the testing room is strictly prohibited (other than as authorized for persons testing under approved special accommodations conditions) and will conclusively be presumed to be for purposes of assistance on the ARE.

The consequences may be any or all of the following:

Test Center Administrator action:

- Confiscation of unauthorized devices or materials by Test Center Administrator.
- Immediate dismissal from the test center.

Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review
  - Send candidate notification of action and permit 30 days for response by candidate. Send copy to candidate’s board.

NCARB PCC action:

- Following review, PCC may recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate's board.
  - Recommend action to NCARB's Board of Directors including any or all of the following:
    - Cancellation of score for the division.
    - Suspension of test taking authorization for all divisions for up to **5 years** from date of test administration, **or such longer period as may be warranted in exceptional circumstances.**
    - Prohibit granting of an NCARB Certificate for up to **3 years** from date of initial registration, **or such longer period as may be warranted in exceptional circumstances.**
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

- Review and act upon final decision.
- Notification of action taken will be forwarded to the candidate and the candidate's board.

**Category 5 Dissemination of ARE Content** – Disclosure to anyone by the internet or through any other means - electronic, written or verbal - of the substance or details of any test questions, vignettes or other graphics and/or alleged answers is strictly prohibited. Disclosure includes, but is not limited to, any attempt to remove test content from the testing room, whether by removal of scratch paper or other notes in any form from the testing room, or by use of devices (including without limitation cameras, audio recorders, or scanning or digital storage devices) to record or transmit test content at or from the testing room, or by any other means of data recording or information transmission. Disclosure also includes any attempt, including internet website and chat room postings, to reproduce, paraphrase, summarize, or describe any test content from memory after leaving the testing room, whether by means of a recitation or description of the content or details of any test question, the depiction or description of vignettes or other graphic representations of test questions, the description or depiction of alleged answers to written or graphic questions, or other means. Improper disclosure includes both the initial disclosure by a test taker and the further dissemination of ARE content by others. *Simply put: whatever is seen on the ARE should not be repeated, paraphrased, summarized, or described in any manner whatsoever.*

These prohibitions on disclosure also apply to forwarding, re-posting, or other disclosure of ARE content that others have disclosed. *Simply put: if someone else purports to disclose what he or she saw on the ARE, no one else should forward, re-post, or otherwise disclose that information.*

The consequences may be any or all of the following:

Test Center Administrator action:

- Confiscation of unauthorized devices or materials by Test Center Administrator.
- Immediate dismissal from the test center.

Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review
  - Send candidate notification of PCC review and permit 30 days for response by candidate. Send copy to candidate's board.

NCARB PCC action:

- Following review, recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate's board.
  - Recommend action to NCARB's Board of Directors including any or all of the following:
    - Cancellation of score(s) for the division(s) disseminated and any subsequent division(s) taken prior to the end of any period of test authorization suspension.
    - Suspension of test taking authorization for all divisions for up to **5 years** from date of discovery of dissemination or 30-day response letter, or **such longer period as may be warranted in exceptional circumstances.**
    - Prohibit granting of an NCARB Certificate for up to **3 years** from date of initial registration, or **such longer period as may be warranted in exceptional circumstances.**
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

- Review and act upon final decision.
- Notification of action taken will be forwarded to the candidate and the candidate's board.

**Category 6 Seeking ARE Content** – A candidate or anyone else who willfully obtains or seeks to obtain ARE test content disclosed by others is also subject to sanctions. *Simply put: candidates should not seek an unfair advantage by seeking or obtaining ARE test content in preparing for their examination or in an attempt to assist other candidates.*

The consequences may be any or all of the following:

Initial NCARB action:

- Issue warning letter to candidate and/or
- Forward to PCC for review
  - Send candidate notification of PCC review and permit 30 days for response by candidate. Send copy to candidate's board.

NCARB PCC action:

- Following review, recommend any or all of the following:
  - Issue warning letter to candidate, and send copy to candidate's board.
  - Recommend action to NCARB's Board of Directors including any or all of the following:
    - Cancellation of score(s) for the division(s) disseminated and any subsequent division(s) taken prior to the end of any period of test authorization suspension.
    - Suspension of test authorization for all divisions for up to **5 years** from date of discovery of dissemination or 30-day response letter, or **such longer period as may be warranted in exceptional circumstances.**
    - Prohibit granting of an NCARB Certificate for up to **3 years** from date of initial registration, or **such longer period as may be warranted in exceptional circumstances.**
    - Any other sanction permitted under the PCC Rules of Procedure.

NCARB Board of Directors action:

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