

Monroe 2-Orleans BOCES Policy

Series 5000 – Personnel

**Policy #5132 – TESTING MISCONDUCT AND MANDATORY REPORTING
REQUIREMENTS**

BOCES employees are expressly prohibited from: engaging in testing misconduct, as that term is described in the Regulations of the Commissioner of Education; assisting in the engagement of, or soliciting another to engage in testing misconduct; and/or the knowing failure to report testing misconduct. BOCES' employees will report to the State Education Department any known incident of testing misconduct by a certified educator or any known conduct by a non-certified individual involved in the handling, administration or scoring or processing of the state assessments in violation of New York State law. Such report will be made in accordance with directions and procedures established by the Commissioner. An employee who reports misconduct to the State Education Department is protected from retaliation and adverse action for making the report. Any certificated employee who takes adverse action in retaliation will be the subject of a Part 83 referral.

Employees in positions with required instructional or administrative certification, these action(s) or inaction(s) will be deemed to raise a reasonable question of moral character under Part 83 of the Commissioner's Regulations and may subject the employee to disciplinary actions.

Employees in positions with no certification required, these actions or inactions will be deemed to raise a reasonable question of moral character and may subject the employee to disciplinary action.

8 NYCRR Section 102.4

Adopted: 9/17/2014

Reviewed: 9/20/2017

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