604.19 SUBVERSION OF EXAMINATION.

(a) A person engages in examination subversion practice when, with respect to a licensing or certifying examination, the person:

(1) removes from the examination room any examination materials without specific authorization;

(2) without authorization, discloses, publishes, transmits, or reconstructs by any means, including but not limited to memorization, any portion of the examination;

(3) pays or uses professional or paid examination takers for the purpose of reconstructing any portion of the examination;

(4) without authorization, obtains examination questions, answers, or materials, whether requested or not, either before, during, or after an examination;

(5) uses or purports to use any examination questions, answers, or materials that were improperly obtained from any examination for the purpose of instructing or preparing an applicant for examination;

(6) sells or offers to sell, distributes or offers to distribute, buys or offers to buy, or receives or possesses without authorization any portion of a future, current, or previously administered examination;

(7) communicates with any other person during the administration of an examination for the purpose of giving or receiving any unauthorized aid;

(8) copies answers from another examinee or permits the person's own answers to be copied by another examinee;

(9) possesses during the administration of the examination any books, equipment, notes, written or printed materials, or data of any kind, other than the examination materials distributed and materials otherwise specifically authorized to be possessed during the examination;

(10) takes an examination using the identity of another person or has another person take an examination using a false identity;

(11) engages in any other conduct that violates the security of the examination materials;

(12) attempts to engage in any act listed in this paragraph; or

(13) aids or abets another person to engage in any act listed in this paragraph.

(b) Any person damaged or likely to be damaged by an examination subversion practice may seek injunctive relief in district court and recovery of damages caused by the practice.

(c) The remedies provided in this subdivision are in addition to any other remedy or penalty that may be available for the same conduct as permitted by law.

History: *2010 c 202 s 1*