

The following information must be reviewed and acknowledged by the Examinee prior to accessing or participating in any certifications. Documentation of acknowledgement will be maintained within the ClassMarker written exam, as part of the technician record for TxDOT or IA issued certifications.

RIGHTS AND RESPONSIBILITIES

Certification includes the exclusive right to perform certified sampling, testing, and reporting on Texas Department of Transportation (TxDOT) projects involving Concrete, Hot Mix, Asphalt, Aggregates, and Soils & Base in accordance with TxDOT specifications and test procedures for the level of certification issued. Examinees are required to perform and report test results with the accuracy and precision required of a certificated Examinee. The Examinee must fully understand the significance of performing these duties in accordance with the certification level received by the Examinee.

Each Examinee is responsible for performing their own independent sampling, testing, and reporting in accordance with TxDOT specifications, test procedures, and standard operating procedures. These duties must be performed in a diligent and professional manner to produce TxDOT projects of the highest possible quality.

Failure to obtain recertification timely or failure to participate in the required proficiency programs will cause all dependent certifications held by an Examinee to be inactivated. It is the Examinee's responsibility to maintain an active certification(s).

Certification includes a written exam and performance evaluation in which the Proctor's instructions must be abided by. Breach of trust and negligence are serious violations that will not be tolerated. Breach of trust or negligence includes, but is not limited to:

- Copying from another Examinee's work.
- Substituting for another person, or permitting another person to substitute for oneself, in taking an exam.
- Collaborating with or seeking aid from another student without authorization during the exam.
- Using materials that are not authorized by the Proctor, such as lessons, books, or notes.
- Knowingly using or soliciting, in whole or in part, the contents of an administered exam.
- Using, buying, stealing, or transporting some or all the contents of an administered exam.
- Careless or deliberate deviation from specifications or testing procedures.
- Falsification of or deliberate omission from material records or information.
- Awareness of improprieties in sampling, testing and/or production by others and the failure to timely report those improprieties to the appropriate project supervision.

ALLEGATIONS OF MISCONDUCT

Allegations of misconduct are required to be submitted to MTD by email (MTD_QAP@txdot.gov). The written allegation must include the name, address, and signature of the individual asserting the allegations, as well as a brief description of the allegations. The allegations will be reviewed. The applicable Committee will coordinate a meeting with the individual asserting the allegation and the person so accused. They will be asked to meet (at separate dates/times) with members of the applicable Committee to further investigate the allegation.

In consideration for all TxDOT certification/recertification processes, Examinee hereby waives any and all claims of whatsoever kind or character related, directly or indirectly, to this Agreement, against TxDOT (including, but not limited to, the Committee and the Appeal Committee and their members), that s/he may have (including claims for attorney's fees) and further agrees to save, indemnify and hold TxDOT (including, but not limited to, the Committee and the Appeal Committee and their members) harmless from any claim, action or cause of action arising because of, or relating to this Agreement including, but not limited to, Examinee's certification, or any refusal, reprimand, revocation and/or suspension of certification or recertification of Examinee.

VIRTUAL EXAMS

The following additional conditions must be met when the exam is administered virtually:

- Be prepared to show the exam environment (i.e., desk area and surroundings).
- Keep the computer video ON at all times so that the Proctor can see you. The Proctor may require multiple camera views.
- Do NOT mute yourself. You will be allowed to turn the volume down on your computer.
- Change your display name in TEAMS or communicate your full, legal name to the Proctor.
- Stay seated in front of your computer throughout the entire exam period or until you have completed the exam.
- Clear the work area of phones, notes, paper, or books. The proctor will approve/authorize any hardcopies or reference material prior to the start of the exam.

If any of the above conditions are not met at ANY TIME for ANY REASON (including technology issues) during administration of the exam, the exam session will be ended and the option to retest will be evaluated based on the reason the session was ended.