

## C

**Effective:[See Text Amendments]**

McKinney's Consolidated Laws of New York Annotated [Currentness](#)

Education Law ([Refs & Annos](#))

Chapter 16. Of the Consolidated Laws ([Refs & Annos](#))

Title I. General Provisions

[↖](#)  [Article 5. University of the State of New York \(\[Refs & Annos\]\(#\)\)](#)

[↖](#)  [Part I. General Organization \(\[Refs & Annos\]\(#\)\)](#)

**→→ § 225. Unlawful acts in respect to examinations and records**

A person who shall:

1. Personate or attempt to offer to personate another person in taking, or attempting or offering to take an examination held in accordance with this chapter or with the rules of the university; or
2. Take, or attempt or offer to take, such an examination in the name of any other person; or
3. Procure any other person to falsely personate him or to take, or attempt or offer to take, any such examination in his name; or
4. Have in his possession question papers to be used in any such examination, when not contained in their sealed wrappers, or copies of such papers or questions, at any time prior to the date set for such examination, unless duly authorized by the regents or the commissioner of education; or
5. Sell or offer to sell question papers or any questions prepared for use in any examination held in accordance with this chapter or with the rules of the university; or
6. Use in any such examination any question papers or questions, or secure or prepare the answers to such questions prior to the time set for the examination; or
7. Willfully and wrongfully disclose or transmit to any person the questions or answers to such examination prior to the time set for such examination, unless duly authorized by the regents, commissioner of education or appropriate school authorities or otherwise provided by law, or willfully and wrongfully destroy, falsify or conceal the records or results of such examination from the appropriate authorities to whom such records or results are required to be transmitted in accordance with this chapter, the rules of the regents, the regulations of the commissioner, or the

by-laws, rules or regulations of such school authorities; or

8. Transmit to the state education department answers to questions used in any such examination which are prepared or written outside of the period of examination, or alter any such answers after such period is closed; or

9. Secure or attempt to secure any credential regularly issued by the university, which is based upon such examination or based upon a course or courses of study in any institution of learning or educational institution approved by the university, which he has not actually passed or completed; or

9-a. Knowingly and willfully make an unauthorized and false alteration or representation of any grade, credit, honor, award or standing in the permanent record or transcript of any student with respect to a school or college under the supervision of the regents, the commissioner, or the university of the state of New York.

10. Otherwise secure or attempt to secure the record of having passed such examination or of having been issued or of having been given credit toward such credential in violation of the university rules; is guilty of a misdemeanor and upon conviction thereof shall be punished for a first offense by a fine of not less than fifty dollars or imprisonment for not less than thirty days, or by both such fine and imprisonment, and for a second offense by a fine of not less than two hundred and fifty dollars or imprisonment for not less than six months or by both such fine and imprisonment.

11. Notwithstanding the provisions of subdivision ten of this section, a violation of this section shall also constitute grounds for disciplinary action in accordance with the provisions of this chapter, the rules of the regents, the regulations of the commissioner, or the by-laws, rules or regulations of such school authorities.

#### CREDIT(S)

(L.1947, c. 820. Amended L.1976, c. 860, § 1; L.1980, c. 443, §§ 1, 2.)

#### HISTORICAL AND STATUTORY NOTES

##### Derivation

Section derived from Education Law of 1910, § 67, as amended L.1921, c. 178. Similar provisions were contained in [Education Law of 1909, § 1104](#), derived from the University Law of 1892, c. 378, § 33, as amended L.1895, c. 859, § 4.

#### CROSS REFERENCES

False representation and impersonation in civil service examination, see [Civil Service Law § 106](#).

#### NEW YORK CODES, RULES AND REGULATIONS

Fraud in examinations, see [8 NYCRR 102.4](#).

#### LIBRARY REFERENCES

Colleges and Universities  9.30(1).

Westlaw Topic No. 81.

[C.J.S. Colleges and Universities §§ 35 to 36](#).

McKinney's Education Law § 225, NY EDUC § 225

Current through L.2014, chapters 1 to 25, 50 to 60.

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