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## **Confidentiality and Non-Disclosure Policy**

### Purpose of the Confidentiality and Non-Disclosure Policy

The purpose of the following Examination Confidentiality and Non-Disclosure Policy is to establish and explain the rules by which the Board of Certification/ Accreditation, International (BOC) will strictly limit, control, and protect all confidential, private, and/or proprietary information concerning BOC certification examinations and the certification process, as well as other materials so designated by the BOC Board of Directors. The nature of BOC's business and the economic well-being of the organization are dependent upon protecting and maintaining all designated confidential information.

All BOC operations, methods, materials, documents, procedures, and proceedings relating to certification tests and examinations (BOC test information) are considered private, confidential, and proprietary information by the BOC Board of Directors. All BOC certification test information is to remain secure and confidential.

### Persons Covered By the Policy/Agreements to Abide By the Policy Terms

The receipt and use of BOC test information and materials is limited strictly to authorized BOC Board Directors, employees, agents, volunteers, contractors, and representatives. All persons identified in this policy must agree to abide by, and comply with, this Policy and all Policy requirements in writing. Each BOC Board Director, employee, agent, volunteer, contractor, and representative may be subject to discipline or other sanction by BOC due to a violation or attempted breach of any portion of this Policy. The BOC reserves the right to enforce this Policy by any and all appropriate and legal means.

In addition to other obligations, all BOC Board Directors, employees, agents, volunteers, contractors, and other authorized representatives will be bound by all the provisions of this Policy during the course of their employment or association with BOC, and will continue to be bound by such provisions after termination of their employment or association with organization. The obligation to adhere to, and be bound by, the Policy is one that continues beyond the association or employment of representatives, staff, and agents of BOC.

### Information and Materials Protected By the Policy

Test information and materials covered and protected by this Policy include, but is not in any way limited to: candidate application status; certification examination questions and answers; examination scores; individual or group performance information; general or specific data regarding test questions, reviews, changes, modifications; and, all other information and materials related to the content, development, and administration of BOC certification examinations. In addition, any information relating to BOC certification examination materials, composition techniques, structure, methods and other similar areas is also proprietary, private, and strictly confidential and will not be released without specific, prior, and written authorization from the BOC Board of Directors, including, but in no way limited to, specific information which identifies, or makes possible the identification of, a particular

person or candidate. Furthermore, the identities of the Video Practice Examiners will not be released by BOC to candidates or third parties.

Information and material which falls outside the protection of this Policy is limited to the following:

- Information specifically authorized to be made available to the public by the BOC Board of Directors consistent with this Policy;
- Information which is in the public domain or available as a matter of public record;
- Information specifically authorized to be disclosed by the candidate pursuant to an original, signed authorization of release by that candidate; and,
- Information which a BOC representative is obligated to produce pursuant to a valid and lawful court or government order, following prior, written approval of the BOC Board of Directors, and BOC Legal Counsel.

#### Legal/Binding Effects of Policy

All rights and restrictions contained in this Policy may be exercised by BOC at the discretion of the BOC Board of Directors. Such rights and restrictions shall be in force and binding only to the extent that they do not violate any applicable laws and are intended to be limited to the extent legally necessary so that they will not render this Policy illegal, invalid or unenforceable.

All BOC Board Directors, employees, agents, volunteers, contractors, and other authorized representatives are required to agree to, and abide by, the terms of this Policy and are required to sign an agreement document to that effect.