

SUMMARY OF LSRP BOARD COMPLAINT NO. 004DEP-2012

LSRP

Vladimir Raskin, License No. 594557

Nature of Complaint

Complaint 004DEP regarding Mr. Raskin was submitted on November 27, 2012, to the Site Remediation Professional Licensing Board (“the Board”) by Assistant Director Frank Pinto, the DEP liaison to the LSRP exam contractor. Mr. Pinto was notified by the exam contractor of a possible violation by Mr. Raskin of a Non-Disclosure Agreement that Mr. Raskin and other LSRP licensing exam candidates signed prior to sitting for the November 15, 2012, licensing exam. The Non-Disclosure Agreement was part of a form entitled “NJDEP LSRP Examination Candidate Agreement” which contains a “Non-Disclosure” statement that the candidate is “expressly prohibited from disclosing, publishing, reproducing or transmitting the content of this exam, in whole or in part, in any form or by any means, verbal or written, electronic or mechanical, for any purpose, without the prior written permission of the NJDEP.” A second paragraph states: “I also understand that failure to maintain the confidentiality of test content may result in invalidation of my test scores, prohibition from taking the test in the future, legal action and/or other penalties as determined by NJDEP.”

According to the Complaint, shortly after taking the November 15 exam, Mr. Raskin posted on the “LinkedIn” LSRP discussion group web page a comment regarding the exam that included an example of a specific examination question. In the post, Mr. Raskin expressed great frustration with the LSRP licensing exam, having failed it the first time and then taking it again two months later and feeling that he had not passed it the second time. His biggest issue was that the “vast majority of [the] questions are extremely dubious”, and “most of them have more than one right answer, which is improper to have in a multiple-choice format.” Even worse, he said, a “good portion” of the questions “are simply not correctly stated.” Mr. Raskin then gave an example of an exam question he felt had more than one right answer. While he did not replicate it verbatim from the exam, it was sufficiently similar to an actual examination question that the consulting firm administering the licensing exams deleted the actual question from the exam bank so it would not be used in future exams.

Synopsis

The Board’s investigation revealed the following:

- On February 6, 2013, the Complaint Review Team met with Mr. Raskin and his attorney. He had passed his licensing exam on the third try and has received his license. He had not been previously disciplined since the temporary LSRP program started. He said he posted the comment out of extreme frustration with the LSRP examination process and he included a modified examination question not to tip off future exam takers but to

illustrate why the exam was so frustrating, considering how many years he had been working in site remediation. Mr. Raskin also said that he was trying to “disguise” the question so that it was not an exact replication of the exam question. Lastly, he said that he took the post down within 24 hours because he remembered the Non-Disclosure agreement he had signed. He characterized his posting as an “honest mistake.”

The Board’s Decision

The Board found that by posting the comment on an Internet discussion group that included an example, even though not an exact rendition, of an actual question on the LSRP examination, Mr. Raskin violated the DEP LSRP Examination Candidate Non-Disclosure Agreement. By signing this Agreement, Mr. Raskin agreed to various remedies for its violation including invalidation of test scores, prohibition from taking the test in the future, legal action and/or other penalties. The Board has issued a Letter of Reprimand to Mr. Raskin for the violation of the Non-Disclosure Agreement.

*A letter of Reprimand was issued to this LSRP on April 4, 2013. Every LSRP has a right to request a hearing within 35 days of receipt of a disciplinary order from the Board.