

§97.511

(j) When the examinee does not score a passing grade on an examination element, the administering VEs must return the application document to the examinee and inform the examinee of the grade.

(k) The administering VEs must accommodate an examinee whose physical disabilities require a special examination procedure. The administering VEs may require a physician's certification indicating the nature of the disability before determining which, if any, special procedures must be used.

(1) The administering VEs must issue a CSCE to an examinee who scores a passing grade on an examination element.

(m) After the administration of a successful examination for an amateur operator license, the administering VEs must submit the application document to the coordinating VEC according to the coordinating VEC's instructions.

[59 FR 54834, Nov. 2, 1994, as amended at 61 FR 9953, Mar. 12, 1996; 62 FR 17567, Apr. 10, 1997; 63 FR 68980, Dec. 14, 1998; 65 FR 6551, Feb. 10, 2000; 71 FR 66465, Nov. 15, 2006]

§97.511 Examinee conduct.

Each examinee must comply with the instructions given by the administering VEs.

[59 FR 54835, Nov. 2, 1994]

§97.513 VE session manager requirements.

(a) A VE session manager may be selected by the VE team for each examination session. The VE session manager must be accredited as a VE by the same VEC that coordinates the examination session. The VE session manager may serve concurrently as an administering VE.

(b) The VE session manager may carry on liaison between the VE team and the coordinating VEC.

(c) The VE session manager may organize activities at an examination session.

[62 FR 17567, Apr. 10, 1997]

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§§ 97.515-97.517 [Reserved]

§97.519 Coordinating examination sessions.

(a) A VEC must coordinate the efforts of VEs in preparing and administering examinations.

(b) At the completion of each examination session, the coordinating VEC must collect applicant information and test results from the administering VEs. The coordinating VEC must:

- (1) Screen collected information;
- (2) Resolve all discrepancies and verify that the VE's certifications are properly completed; and

(3) For qualified examinees, forward electronically all required data to the FCC. All data forwarded must be retained for at least 15 months and must be made available to the FCC upon request.

(c) Each VEC must make any examination records available to the FCC, upon request

(d) The FCC may:

- (1) Administer any examination element itself;
- (2) Readminister any examination element previously administered by VEs, either itself or under the supervision of a VEC or VEs designated by the FCC; or

(3) Cancel the operator/primary station license of any licensee who fails to appear for readministration of an examination when directed by the FCC, or who does not successfully complete any required element that is re-administered. In an instance of such cancellation, the person will be granted an operator/primary station license consistent with completed examination elements that have not been invalidated by not appearing for, or by failing, the examination upon readministration.

[54 FR 25857, June 20, 1989, as amended at 59 FR 54835, Nov. 2, 1994; 62 FR 17567, Apr. 10, 1997; 63 FR 68981, Dec. 14, 1998; 71 FR 66465, Nov. 15, 2006]

§97.521 VEC qualifications.

No organization may serve as a VEC unless it has entered into a written agreement with the FCC. The VEC must abide by the terms of the agreement. In order to be eligible to be a VEC, the entity must:

(a) Be an organization that exists for the purpose of furthering the amateur service;

(b) Be capable of serving as a VEC in at least the VEC region (see appendix 2) proposed;

(c) Agree to coordinate examinations for any class of amateur operator license;

(d) Agree to assure that, for any examination, every examinee qualified under these rules is registered without regard to race, sex, religion, national origin or membership (or lack thereof) in any amateur service organization;

[54 FR 25857, June 20, 1989, as amended at 58 FR 29127, May 19, 1993; 61 FR 9953, Mar. 12, 1996]

§ 97.523 Question pools.

All VECs must cooperate in maintaining one question pool for each written examination element. Each question pool must contain at least 10 times the number of questions required for a single examination. Each question pool must be published and made available to the public prior to its use for making a question set. Each question on each VEC question pool must be prepared by a VE holding the required FCC-issued operator license. See § 97.507(a) of this part.

§ 97.525 Accrediting VEs.

(a) No VEC may accredit a person as a VE if:

(1) The person does not meet minimum VE statutory qualifications or minimum qualifications as prescribed by this part;

(2) The FCC does not accept the voluntary and uncompensated services of the person;

(3) The VEC determines that the person is not competent to perform the VE functions; or

(4) The VEC determines that questions of the person's integrity or honesty could compromise the examinations.

(b) Each VEC must seek a broad representation of amateur operators to be VEs. No VEC may discriminate in accrediting VEs on the basis of race, sex, religion or national origin; nor on the basis of membership (or lack thereof) in an amateur service organization; nor

on the basis of the person accepting or declining to accept reimbursement.

§ 97.527 Reimbursement for expenses.

VEs and VECs may be reimbursed by examinees for out-of-pocket expenses incurred in preparing, processing, administering, or coordinating an examination for an amateur operator license.

[66 FR 20752, Apr. 25, 2001]

APPENDIX 1 TO PART 97—PLACES WHERE THE AMATEUR SERVICE IS REGULATED BY THE FCC

In ITU Region 2, the amateur service is regulated by the FCC within the territorial limits of the 50 United States, District of Columbia, Caribbean Insular areas [Commonwealth of Puerto Rico, United States Virgin Islands (50 islets and cays) and Navassa Island], and Johnston Island (Islets East, Johnston, North and Sand) and Midway Island (Islets Eastern and Sand) in the Pacific Insular areas.

In ITU Region 3, the amateur service is regulated by the FCC within the Pacific Insular territorial limits of American Samoa (seven islands), Baker Island, Commonwealth of Northern Mariana Islands, Guam Island, Howland Island, Jarvis Island, Kingman Reef, Palmyra Island (more than 50 islets) and Wake Island (Islets Peale, Wake and Wilkes).

APPENDIX 2 TO PART 97—VEC REGIONS

1. Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont.
2. New Jersey and New York.
3. Delaware, District of Columbia, Maryland and Pennsylvania.
4. Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, Tennessee and Virginia.
5. Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma and Texas.
6. California.
7. Arizona, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming.
8. Michigan, Ohio and West Virginia.
9. Illinois, Indiana and Wisconsin.
10. Colorado, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota and South Dakota.
11. Alaska.
12. Caribbean Insular areas.
13. Hawaii and Pacific Insular areas.