



Professional Ethics Division

Exposure draft:

Proposed revised interpretation Uniform CPA
Examination and Continuing Professional Education
(ET sec. 1.400.020, 2.400.020, and 3.400.020)

March 15, 2023

Comments are requested by May 15, 2023

ethics-exposedraft@aicpa.org

Invitation to comment

March 15, 2023

Are you interested in the ethics of accounting? If so, we want to hear your thoughts on this ethics exposure draft. Your comments are integral to the standard-setting process, and you don't need to be an AICPA member to participate.

This proposal is part of the AICPA's Professional Ethics Executive Committee (PEEC) project to promote ethical conduct across all aspects of the profession.

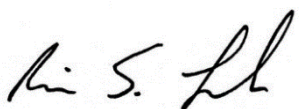
This exposure draft explains proposed revisions to the AICPA Code of Professional Conduct and includes the full text of the guidance under consideration.

At the conclusion of the exposure period, PEEC will evaluate the comments and determine whether to publish the revised interpretations.

Again, your comments are an important part of the standard-setting process — please take this opportunity to comment. We must receive your response by May 15, 2023. All written replies to this exposure draft will become part of the public record of the AICPA and will be available at www.aicpa.org/peecprojects.

Please email your comments to ethics-exposedraft@aicpa.org.

Sincerely,



Brian S. Lynch, Chair
Professional Ethics Executive Committee



Toni Lee-Andrews, Director, CPA, PFS, CGMA
Professional Ethics Division

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Explanation of the revised interpretations

Overview

1. Several public accounting firms have been sanctioned by the SEC for employees sharing answer keys to various continuing professional education (CPE) examinations; consequently, several state boards of accountancy have taken action against individuals identified in these instances.
2. The extant AICPA Code of Professional Conduct (code) states that soliciting or disclosing Uniform CPA Examination content without proper authorization is an act discreditable to the profession in violation of the “Acts Discreditable Rule” (ET sec. 1.400.001, 2.400.001, or 3.400.001).¹ The Professional Ethics Executive Committee (PEEC) is proposing to expand the interpretation to include question and answer sharing on examinations taken in connection with CPE courses unless collaboration is expected and permitted.
3. As many CPE offerings are based on attendance only, PEEC also included language to clarify that falsifying attendance checks in any way is also considered an act discreditable to the profession, in violation of the “Acts Discreditable Rule” (ET sec. 1.400.001, 2.400.001, or 3.400.001).

Effective date

4. PEEC recommends the revised interpretations be effective upon publication in the *Journal of Accountancy*.

Request for comments

5. PEEC welcomes comments on all aspects of the proposed revisions.

¹ All ET sections can be found in AICPA *Professional Standards*.

Additions appear in ***boldface italic***. Deletions appear in ~~strikethrough~~.

Terms defined in the AICPA Code of Professional Conduct are italicized in this document. If you'd like to see the definitions, you can find them in "Definitions" ([ET sec. 0.400](#)).

Text of proposed revised interpretation "Uniform CPA Examination and Continuing Professional Education"

1.400.020 ~~Solicitation or Disclosure of~~ ***Uniform CPA Examination and Continuing Professional Education Questions and Answers***

.01 A *member* who solicits or knowingly discloses ~~the~~ Uniform CPA Examination question(s) or answer(s), ~~or both,~~ without the AICPA's written authorization shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [1.400.001]. [Prior reference: paragraph .07 of ET section 501]

.02 A member who (a) solicits or knowingly discloses questions or answers of any continuing professional education course examination (other than one for which collaboration is expected and permitted) or (b) falsifies attendance at a continuing professional education course shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [1.400.001].

[See [Revision History Table](#).]

Additions appear in ***boldface italic***. Deletions appear in ~~strikethrough~~.

Terms defined in the AICPA Code of Professional Conduct are italicized in this document. If you'd like to see the definitions, you can find them in "Definitions" ([ET sec. 0.400](#)).

Text of proposed revised interpretation "Uniform CPA Examination and Continuing Professional Education"

2.400.020 ~~Solicitation or Disclosure of~~ ***Uniform CPA Examination and Continuing Professional Education Questions and Answers***

.01 A *member* who solicits or knowingly discloses ~~the~~ Uniform CPA Examination question(s) or answer(s), ~~or both~~, without the AICPA's written authorization shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [2.400.001]. [Prior reference: paragraph .07 of ET section 501]

.02 A member who (a) solicits or knowingly discloses questions or answers of any continuing professional education course examination (other than one for which collaboration is expected and permitted) or (b) falsifies attendance at a continuing professional education course shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [2.400.001].

[See [Revision History Table](#).]

Additions appear in ***boldface italic***. Deletions appear in ~~strikethrough~~.

Terms defined in the AICPA Code of Professional Conduct are italicized in this document. If you'd like to see the definitions, you can find them in "Definitions" ([ET sec. 0.400](#)).

Text of proposed revised interpretation "Uniform CPA Examination and Continuing Professional Education"

3.400.020 ~~Solicitation or Disclosure of~~ ***Uniform CPA Examination and Continuing Professional Education Questions and Answers***

.01 A *member* who solicits or knowingly discloses ~~the~~ Uniform CPA Examination question(s) or answer(s), ~~or both~~, without the AICPA's written authorization shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [3.400.001]. [Prior reference: paragraph .07 of ET section 501]

.02 A member who (a) solicits or knowingly discloses questions or answers of any continuing professional education course examination (other than one for which collaboration is expected and permitted) or (b) falsifies attendance at a continuing professional education course shall be considered to have committed an act discreditable to the profession, in violation of the "Acts Discreditable Rule" [3.400.001].

[See [Revision History Table](#).]

Acknowledgments

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Many thanks

The Professional Ethics Division and PEEC are grateful for the input we received from observers and stakeholders while drafting these proposed changes to the Code of Professional Conduct.



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