



# VENTURA COUNTY COMMUNITY COLLEGE DISTRICT

## PERSONNEL COMMISSION

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### MEETING AGENDA FOR JUNE 30, 2016

5:30 p.m.

Thomas G. Lakin Board Room  
District Administrative Center  
255 W. Stanley Ave, Suite 150  
Ventura, CA 93001

#### ALL ITEMS ARE SUBJECT TO DISCUSSION/ACTION

1. CALL TO ORDER
2. ROLL CALL
3. PUBLIC COMMENTS REGARDING AGENDA ITEMS
4. MINUTES  
Personnel Commission Meeting – May 19, 2016
5. CORRESPONDENCE
6. OLD BUSINESS  
None
7. REPORTS
  - A. Classified Employees Representative's Report
  - B. Board of Trustees Meeting Report
  - C. Director's Report
    - Current Recruitments Report
    - Positions Filled & Pending Report
    - Upcoming Recruitments Report
    - Classification Studies Report
  - D. Commissioners' Reports
8. ESTABLISHMENT OF NEW CLASSIFICATIONS
  - A. Programmer Analyst
  - B. Instructional Lab Technician – Dental Hygiene
9. AMENDMENT OF PERSONNEL COMMISSION RULES 137 AND 138 (FIRST READING)
10. DISCUSSION OF PUBLIC COMMENTS FROM APRIL 20, 2016, PERSONNEL COMMISSION MEETING

**11. RECESS TO CLOSED SESSION**

None

**12. RECONVENE IN OPEN SESSION**

N/A

**13. PUBLIC COMMENTS REGARDING NON-AGENDA ITEMS**

**14. DATE AND TIME OF NEXT PERSONNEL COMMISSION MEETING**

The date and time of the next scheduled meeting of the Personnel Commission is July 21, 2016, at 5:30 p.m. The meeting will take place in Guthrie Hall at Ventura College located at 4667 Telegraph Road in Ventura, California.

**15. ADJOURNMENT**

Written materials relating to a Commission meeting item that are distributed to at least a majority of the Commission members less than 72 hours before a noticed meeting and that are public record not otherwise exempt from disclosure will be available for inspection at the District Administrative Center located at 255 West Stanley Avenue, Suite 150, Ventura, CA 93001 or at the Personnel Commission meeting.

Pursuant to the Federal Americans with Disabilities Act, if you require any special accommodation or assistance to attend or participate in the meeting, please direct your written request, as far in advance of the meeting as possible, to the office of  
Michael Arnoldus, Director of Employment Services/Personnel Commission  
Ventura County Community College District  
255 West Stanley Avenue, Suite 150  
Ventura, CA 93001  
(805) 652-5521



# VENTURA COUNTY COMMUNITY COLLEGE DISTRICT

## Personnel Commission

### Director's Report

May 17, 2016 – June 24, 2016

| Current Classified Selection Processes (Between 05/17/16 – 06/24/16) |                        |          |           |              |  |                     |                                 |                     |                                |
|--|------------------------|----------|-----------|--------------|--|---------------------|---------------------------------|---------------------|--------------------------------|
| Job Title  | Number of Applications | Location | Open Date | Closing Date | Type of Exam   | T&E Completed By    | Written / Performance Exam Date | Oral Exam Date      | Anticipated Certification Date |
| Counselor Assistant  | 190                    | MC, OC   | 05/16/16  | 05/30/16     | Training & Experience Evaluation/Technical Interview | 5/31/16 – 06/06/16  | N/A                             | 06/20/16 – 06/24/16 | 06/28/16                       |
| Director of Software Applications and Development                    | 8                      | DAC      | 06/09/16  | 06/26/16     | Training & Experience Evaluation/Technical Interview | 06/27/16 – 07/05/16 | N/A                             | 07/11/16 – 07/15/16 | 07/19/16                       |
| Instructional Data Specialist  | 46                     | VC       | 04/28/16  | 05/13/16     | Training & Experience Evaluation/Technical Interview | 05/16/16 – 05/23/16 | N/A                             | 06/06/16            | 06/08/16                       |
| Job Placement Specialist   | 73                     | MC       | 04/29/16  | 05/14/16     | Training & Experience Evaluation/Technical Interview | 05/17/16 – 05/23/16 | N/A                             | 06/06/16 – 06/10/16 | 06/14/16                       |
| Program Specialist – Career and Technical Education                  | 5                      | OC       | 06/23/16  | 07/10/16     | Training & Experience Evaluation/Technical Interview | 07/11/16 – 07/18/16 | N/A                             | 08/01/16 – 08/04/16 | 08/08/16                       |
| Matriculation Specialist I   | 63                     | OC       | 06/01/16  | 06/16/16     | Training & Experience Evaluation/Technical Interview | 06/22/16            | N/A                             | 07/13/16            | 07/15/16                       |
| Matriculation Specialist II  | 46                     | VC       | 04/20/16  | 05/04/16     | Training & Experience Evaluation/Technical Interview | 05/19/16            | N/A                             | 05/30/16 – 06/03/16 | 06/07/16                       |
| Senior Accounting Technician   | 24                     | MC,DAC   | 05/19/16  | 06/09/16     | Written Test/Technical Interview                     | N/A                 | 06/23/16                        | 06/30/16            | 07/05/16                       |
| Student Services Assistant I   | 74                     | VC       | 04/04/16  | 04/19/16     | Written Test/Technical Interview                     | N/A                 | 04/28/16 – 05/02/16             | 05/16/16 – 05/20/16 | 05/24/16                       |
| Student Outreach Specialist  | 22                     | MC       | 06/16/16  | 07/03/16     | Training & Experience Evaluation/Technical Interview | 07/05/16 – 07/12/16 | N/A                             | 07/18/16 – 07/22/16 | 07/26/16                       |

Current Classified Selection Processes (Between 05/17/16 – 06/24/16) (cont.)

| Job Title                     | Number of Applications | Location | Open Date | Closing Date | Type of Exam   | T&E Completed By | Written / Performance Exam Date | Oral Exam Date      | Anticipated Certification Date |
|-------------------------------|------------------------|----------|-----------|--------------|--|------------------|---------------------------------|---------------------|--------------------------------|
| Supervising Financial Analyst | 16                     | DAC      | 05/11/16  | 05/26/16     | Training & Experience Evaluation/Technical Interview | 06/02/16         | N/A                             | 06/09/16 – 06/16/16 | 06/20/16                       |
| Warehouse Assistant           | 144                    | MC       | 04/20/16  | 05/06/16     | Written Test/Technical Interview                     | N/A              | 05/20/16 – 05/24/16             | 06/02/16 – 06/07/16 | 06/09/16                       |

Current Classified Positions Filled (As of 06/24/16)

| Employees Hired    | Classification   | Position Number | Location | Status                                      | Effective Date |
|--------------------|--|-----------------|----------|---|----------------|
| Manuel Cervantes   | Custodian  | VCU478          | Ventura  | Probationary (new)                          | 06/02/16       |
| David El Fattal    | Vice Chancellor, Business and Administrative Services    | DMC031          | DAC      | Senior Classified Administrative (contract) | 06/06/16       |
| Stephanie Kostezak | Administrative Assistant                                 | MCU021          | Moorpark | Probationary (new)                          | 06/03/16       |
| Sarah Martinson    | Library Assistant  | VCU104          | Ventura  | Probationary (new)                          | 06/08/16       |
| Richard Padilla    | Library Assistant  | XCU409          | Oxnard   | Probationary (new)                          | 06/06/16       |
| Katherine Pierce   | Student Services Specialist – Student Information Center | XCU410          | Oxnard   | Probationary (new)                          | 06/13/16       |
| Cyndy Ramirez      | Child Development Associate                              | MCU036          | Moorpark | Probationary (new)                          | 05/31/16       |
| Christie Rossi     | Administrative Assistant                                 | MCU016          | Moorpark | Probationary (new)                          | 05/31/16       |
| Juan Sanchez       | Library Assistant  | XCU408          | Oxnard   | Probationary (new)                          | 06/06/16       |
| Jesus Vega         | Student Success and Support Services Supervisor          | MSC137          | Moorpark | Probationary (new)                          | 05/20/16       |
| Kaitlyn Voyce      | Administrative Assistant                                 | MCU500          | Moorpark | Probationary (new)                          | 06/06/16       |

Current Classified Positions Pending (As of 06/24/16)

| Classification                | Position Number | Location |
|-------------------------------|-----------------|----------|
| Administrative Assistant      | MCU501          | MC       |
| Instructional Data Specialist | VCU558          | VC       |

Current Classified Positions Pending (As of 06/24/16) (cont.)

| Classification                              | Position Number | Location |
|---|-----------------|----------|
| Instructional Data Specialist               | VCU103          | VC       |
| Information Technology Support Specialist I | VCU576          | VC       |
| Matriculation Specialist II                 | VCU112          | VC       |
| Job Placement Specialist                    | MCU357          | MC       |
| Student Services Assistant I                | VCU563          | VC       |
| Supervising Financial Analyst               | DSC060          | DAC      |
| Warehouse Assistant                         | MCU133          | MC       |

Upcoming Recruitments

| Classification                             | Position Number | Location |
|--|-----------------|----------|
| Financial Aid Specialist                   | VCU074          | VC       |
| Financial Aid Technician (Bilingual)       | VCU140          | VC       |
| Information Technology Help Desk Assistant | WCU063          | VC       |
| Instructional Technologist/Designer        | VCU578          | VC       |

Requested Position Classification Studies

| Classification                            | Location   | Request Date | Status      |
|---|------------|--------------|-------------|
| Grant Accounting Administrative Assistant | VC         | 07/16/15     | In progress |
| Student Health Center Assistant I         | MC         | 01/12/16     | In progress |
| Student Health Center Assistant I         | MC         | 01/27/16     | In progress |
| Instructional Data Specialist             | MC, OC, VC | 04/14/16     | In progress |



PERSONNEL COMMISSION  
VENTURA COUNTY COMMUNITY COLLEGE DISTRICT  
ESTABLISHMENT OF A NEW CLASSIFICATION

**RECOMMENDATION:**

ESTABLISHMENT OF A NEW CLASSIFICATION

CLASSIFICATION TITLE:

Programmer Analyst

**ANNUAL SALARY RANGE:**

\$65,316-\$90,144 (Classified Salary Schedule #305)

**BACKGROUND:** The Associate Vice Chancellor of Information Technology requested the establishment of the proposed classification to program, test, install, and maintain information systems and design program specifications for small information systems of simple to moderate complexity or components or modules of larger systems. The existing classification of Senior Programmer Analyst is responsible for performing higher-level duties including planning and designing major and highly complex information systems, managing and overseeing information technology projects, and providing technical direction to lower-level staff. Commission staff recommends the establishment of Programmer Analyst in order to create a classification series that allows for the appropriate assignment of programming-related duties.

**BASES OF RECOMMENDATION:** Under the general direction of the Director of Software Applications and Development or higher-level administrator, an incumbent in the proposed classification will design, program, test, install, and maintain information systems. A classification specification detailing the approved duties and responsibilities of the established classification is presented for approval in conjunction with this report.

The recommended salary for the proposed classification is based on internal alignment and external market data. With regard to internal alignment, the proposed salary is lower than that of Senior Programmer Analyst (Classified Salary Schedule #350, \$81,492-\$112,488/annual) which has higher-level responsibilities including independently designing complex information systems, providing technical direction to lower-level staff, and planning and overseeing information technology projects.

With regard to the external market, classifications with similar duties and level of responsibility were found at Santa Monica College (Programmer Analyst I, \$66,816-\$81,204/annual), County of Los Angeles (Application Developer I, \$66,896-\$83,106/annual), Foothill De Anza Community College District (Programmer Analyst I, \$63,974-\$84,846/annual), Coast Community College District (Programmer, \$70,368-\$85,644/annual), Los Angeles County Community College District (Programmer Analyst, \$71,643-\$88,754/annual), Los Angeles Unified School District (Programmer Analyst, \$76,240-\$94,979/annual), and Kern Community College District (ERP Analyst I, \$71,198-\$100,601/annual). In consideration of this information, placement on Classified Salary Schedule #305 (\$65,316-\$90,144/annual) is appropriate.

**VENTURA COUNTY COMMUNITY COLLEGE DISTRICT****CLASS TITLE: PROGRAMMER ANALYST****BASIC FUNCTION:**

Under the general direction of the Director of Software Applications and Development or higher-level administrator, perform design, programming, testing, installation, and maintenance of information systems.

**DISTINGUISHING CHARACTERISTICS:**

A Programmer Analyst develops program specifications for small information systems of simple to moderate complexity or components or modules of larger systems and programs, tests, installs, and maintains major systems according to program design and specifications developed by higher-level programming staff. In comparison, a Senior Programmer Analyst provides technical direction to lower-level staff and, under minimal supervision, performs the most complex programming work which includes responsibility for designing major complex information systems and managing information technology projects.

**REPRESENTATIVE DUTIES:**

Develop, test, install, maintain, and modify information systems, software components, and computer programs according to overall system specifications; document new programs and changes to existing programs in accordance with established standards and procedures; analyze, debug, and test various programs using online tools, assigned languages, and utilities. *E*

Analyze user needs and develop program specifications for small information systems or components of larger systems. *E*

Create production and ad-hoc reports using a variety of reporting tools and languages per specifications from users and senior programming staff. *E*

Make recommendations and propose solutions to improve business operations and resolve problems. *E*

Provide technical support to end users; respond to requests and inquiries regarding the operation, use, and capabilities of information systems; work in conjunction with user support staff to troubleshoot and resolve systems and application problems; prepare end user and technical documentation and instructions; conduct user training sessions as required. *E*

Implement and participate in the planning, organization, and scheduling of information technology projects. *E*

Analyze and develop relational databases per specifications; design and create stand alone databases for data collection, analysis, and reporting as assigned. *E*

Participate in the implementation, maintenance, and testing of new releases of administrative

## **PROGRAMMER ANALYST (continued)**

systems provided by third-party vendors. *E*

Perform ongoing system, application, and software maintenance; perform upgrades, modifications, and enhancements as necessary. *E*

Assist in the maintenance of appropriate test databases and environments for testing and debugging application systems. *E*

Perform other duties as assigned.

*E* = Essential Duties

## **KNOWLEDGE AND ABILITIES:**

### KNOWLEDGE OF:

Methods and techniques of software development and programming  
Functions and capabilities of computer software applications, including database and spreadsheet applications  
Functions and capabilities of various server and workstation operating systems applicable to the position  
Principles, procedures, and methods used in data acquisition, storage, structuring, and retrieval  
Principles and techniques of systems analysis, design, and testing  
Methods and techniques of program documentation and version control  
Reporting and query tools applicable to the position  
Programming and script languages applicable to the position  
Tools and methods used in web page design and development  
Enterprise Resource Planning (ERP) systems  
New trends in the field of information technology  
Principles of database design  
Relational database management systems (RDBMS)  
Principles of business writing and administrative report preparation  
Principles of training

### ABILITY TO:

Code highly complex programs  
Prepare clear and logical systems design  
Present and explain technical concepts to a non-technical audience  
Communicate clearly and concisely, both orally and in writing  
Establish and maintain effective working relationships with those encountered in the course of work  
Provide technical support and training to end users  
Work independently with little direction  
Identify, analyze, evaluate, and solve complex system and programming problems  
Interpret, apply, and explain rules, regulations, policies, and procedures  
Organize and prioritize timelines and project schedules in an effective and timely manner  
Learn the characteristics of new systems and update skills to adapt to changing technology  
Write clear and comprehensive reports, instructions, and program documentation  
Understand and carry out oral and written directions



## **PROGRAMMER ANALYST (continued)**

### **EDUCATION AND EXPERIENCE:**

A bachelor's degree, preferably with an emphasis in information technology, computer science, management information systems, or a related field **AND** one year of recent (gained in the past five years) experience performing business applications programming. Experience programming and maintaining components within an enterprise resource planning (ERP) system is preferred.

#### **OR**

An associate degree, preferably with an emphasis in information technology, computer science, management information systems, or a related field **AND** three years of recent (gained in the past five years) experience performing business applications programming. Experience programming and maintaining components within an enterprise resource planning (ERP) system is preferred.

#### **OR**

Graduation from high school or evidence of equivalent educational proficiency **AND** five years of recent (gained in the past five years) experience performing business applications programming. Experience programming and maintaining components within an enterprise resource planning (ERP) system is preferred.



PERSONNEL COMMISSION  
VENTURA COUNTY COMMUNITY COLLEGE DISTRICT  
ESTABLISHMENT OF A NEW CLASSIFICATION

**RECOMMENDATION:**  
ESTABLISHMENT OF A NEW CLASSIFICATION

CLASSIFICATION TITLE:  
Instructional Lab Technician – Dental Hygiene

**ANNUAL SALARY RANGE:**  
\$51,300 to \$70,776/annual (Classified Employees Salary Schedule #260)

**BACKGROUND:** The Dean of Career and Technical Education at Oxnard College requested the establishment of the proposed classification to perform a wide variety of responsible and varied tasks in support of the operation of the Dental Hygiene Program, including support related to the administration of clinical practical work, student instruction, laboratory equipment maintenance and inventory, infection control, and hazardous waste management. No existing class within the classification plan covers this scope of work. Therefore, Commission staff recommends the establishment of the proposed classification to allow for the appropriate assignment of duties.

**BASES OF RECOMMENDATION:** Under the general direction a dean, the proposed classification will perform a broad scope of highly technical work in support of student instruction and clinical work associated with the Dental Hygiene Program at Oxnard College. The establishment of the proposed class is necessary to address a recommendation from the Commission on Dental Accreditation which highlighted a need for greater instructional support. Further, the Dental Hygiene program is growing at a rapid pace and has recently increased the number of students accepted into the program while also moving to a larger facility equipped with a large variety of technical equipment. In recognition of the programmatic need coupled with the need to maintain quality student instruction, the establishment of the proposed classification is warranted. A classification description detailing the approved duties and responsibilities of the proposed classification is presented for approval in conjunction with this report.

The recommended salary for the proposed classification is based on internal equity with consideration given to external market data. With regard to the external market, comparable classifications with a similar scope of duties and level of responsibility were found at San Diego Community College District (Instructional Lab Technician/Dental Health, \$43,010 to \$68,658/annual), Southwestern Community College District (Dental Hygiene Program Clinical Facility Coordinator, \$54,660 to \$66,526/annual), and Chabot-Las Positas Community College District, (Dental Hygiene Clinical Assistant, \$50,072 to \$61,063/annual). With regard to internal equity, an employee in the proposed classification will be assigned duties of a similar level of complexity and instructional support to that of various Instructional Laboratory Technician II classifications including Instructional Lab Technician II – Nursing, Instructional Lab Technician II – Physical and Applied Sciences, and Instructional Lab Technician II – Registered Veterinary Technician. The aforementioned classifications are currently placed at Classified Employees Salary Schedule #260 (\$51,300 to \$70,776/annual). In consideration of this information, placement on Classified Employees Salary Schedule #260 (\$51,300 to \$70,776/annual) is appropriate.

ME/MA

Presented to the Personnel Commission on June 30, 2016

**VENTURA COUNTY COMMUNITY COLLEGE DISTRICT****CLASS TITLE: INSTRUCTIONAL LAB TECHNICIAN – DENTAL HYGIENE****BASIC FUNCTION:**

Under the general supervision of a Dean or designee, perform a wide variety of responsible and varied tasks in support of the operation of the dental hygiene program, including support related to the administration of clinical practical work, student instruction, laboratory equipment maintenance and inventory, infection control, and hazardous waste management.

**REPRESENTATIVE DUTIES:**

Provide instructional assistance and tutoring services, both individually and to small groups of dental students; reinforce concepts and techniques presented by faculty. *E*

Perform a full range of clinical support duties in the administration of services demonstrated in the dental hygiene program including oral examinations, oral prophylaxis, dental x-rays, and the administration of local anesthesia and nitrous oxide. *E*

Operate, set up, use, maintain, and instruct others in a wide variety of equipment utilized in a dental laboratory including dental operatory, autoclaves, x-ray machines, panoramic x-rays, x-ray developers, industrial dishwashers, digital and analogue intraoral x-ray systems, curing lights, nitrous equipment, dental lasers, intra oral cameras, periscopes, ultrasonic scalers, ultrasonic cleaners and related equipment. *E*

Prepare materials, supplies, and equipment to be used for instructional demonstrations; perform demonstrations as set forth or approved by the instructor, including demonstrations which may require interaction with patients. *E*

Administer and score a wide variety of examinations in accordance with specific instructions. *E*

Inform faculty about the nature and frequency of questions asked by the students in order to identify the areas of greatest need or development. *E*

Answer a wide variety of student questions and inquires related to course concepts and academic program requirements in the dental hygiene and other programs offered at the college. *E*

Collect, enter, and compile statistical data pertinent to student performance, patient demographics and services, and other information for inclusion into special and periodic reports related to program accreditation; prepare administrative reports; assist with various aspects of program review. *E*

Assist in the preparation of the preliminary budget by reviewing requests and projecting supply needs and monitoring budget expenditures. *E*

Provide guidance and direction to student workers. *E*

## **INSTRUCTIONAL LAB TECHNICIAN – DENTAL HYGIENE (continued)**

Order, issue and inventory supplies and equipment; ensure the safe and proper storage of supplies, materials and equipment. *E*

Oversee and perform all aspects of infection control within the laboratory, including performing the full range of duties including dental equipment cleaning, storage, and sterilization utilizing an autoclave and other materials. *E*

Isolate, neutralize, and consolidate chemical and biological wastes; dispose of all chemical and biological wastes and other potentially hazardous materials according to established laws and regulations. *E*

Maintain a variety of records and files applicable to the program including instructional materials, patient records, and other documents. *E*

Perform other duties as assigned.

### **KNOWLEDGE AND ABILITIES:**

#### KNOWLEDGE OF:

Principles and techniques of instruction  
Patient management and inventory software  
Principles, practices, techniques and procedures employed in the dental field  
Pertinent laws, rules, regulations, policies and procedures relating to Dental Hygiene clinic operations including Occupational Safety and Health Administration (OSHA), Health Insurance Portability and Accountability Act (HIPPA), and other health and safety regulations  
Principles and practices of infection control, including sterilization techniques  
Methods and techniques of disposing of hazardous materials and chemicals  
Instruments, equipment, tools, and supplies used in a dental clinic  
Principles and practices used in the maintenance and repair of equipment and tools used in the dental clinics and laboratories  
Basic principles and practices of budget preparation  
Principles and procedures of record keeping and filing  
Office procedures, methods, and equipment including computers and applicable software applications such as word processing, spreadsheets, and databases

#### ABILITY TO:

Explain technical concepts to an audience with a wide range of technical expertise ranging from novice to expert  
Communicate clearly and concisely, both orally and in writing  
Establish and maintain effective working relationships with those contacted in the course of work  
Quickly learn and apply a wide variety of concepts  
Prepare clear and concise reports, correspondence and similar written materials  
Evaluate, troubleshoot, and repair equipment  
Work effectively under stressful and high pressure situations  
Analyze situations accurately and adopt effective courses of action  
Provide information and assistance to students regarding the operation, use, and care of equipment

## **INSTRUCTIONAL LAB TECHNICIAN – DENTAL HYGIENE (continued)**

### **EDUCATION AND EXPERIENCE:**

Education: Completion of an associate degree or comparable two year program which included coursework in dental hygiene, dental assisting, or biology which will provide sufficient knowledge to support the Dental Hygiene program.

Experience: One year of recent, paid experience either supporting students in a dental program or providing chairside, x-ray, sterilization and lab support in a dental office. Graduation with a bachelor's degree in dental hygiene, biology, or a related field may substitute for the required experience.

### **LICENSES AND OTHER REQUIREMENTS:**

Current licensure as a Registered Dental Hygienist in the State of California

VENTURA COUNTY COMMUNITY COLLEGE DISTRICT

**TO:** THE PERSONNEL COMMISSION

**FROM:** MICHAEL ARNOLDUS  
DIRECTOR OF EMPLOYMENT SERVICES/PERSONNEL COMMISSION

**SUBJECT:** REVISION OF PERSONNEL COMMISSION RULES 137 – APPEAL FOR REVIEW AND  
138 – EXAMINAION MATERIALS

**EXPLANATION:**

The following rules are being revised to provide detail and clarity pertaining to the conditions under which applicants may appeal examination results, the review process and outcomes associated with examination appeals, and the conditions under which applicants may review examination materials.

**REVISION:**

**Current:**

- 137 APPEAL FOR REVIEW  
An applicant may request a review of his/her examination results by the Personnel Director if a request is made in writing by the appeal date designated in the notification letter. If the Personnel Director or his/her designee finds discrepancies in the examination process, the rating of one or more of the applicants may be changed. No change in the eligibility list shall invalidate any appointment that was valid when made.
- 138 EXAMINATION MATERIALS  
All applications and examination papers are confidential and remain the property of the Personnel Commission.

**Proposed:**

- 137 APPEAL OF EXAMINATION RESULTS  
An applicant may contest the outcome of any step in the examination process. To appeal, an applicant must submit a completed Examination Appeal Form within three (3) business days following notice of the examination results. The date an applicant is notified of the results counts as a business day. Examination Appeal Forms are accepted by email, fax, mail, and in-person.

The appeal must contain specific proof supported by facts and must be based on one of the following qualifying bases:

Procedural error - Procedural error is a lapse, omission, or breach in the consistency of the administration of the process that may cause some individuals to be unfairly advantaged or disadvantaged in the assessment. To appeal on the basis of procedural error, appellant must identify the specific error and explain the reason that the issue affected their examination outcome.

Fraud - Fraud is a false representation of a matter of fact – whether by words, conduct, false or misleading allegations, or concealment of what should have been disclosed – that deceives and is intended to deceive an individual so that the individual will act upon it to his or her disadvantage. To appeal on the basis of fraud, appellant must identify the specific false representation of facts and explain how the false representation affected their examination outcome.

Unlawful discrimination - Unlawful discrimination is anything written, stated, or otherwise communicated that indicates discrimination on the basis of race, color, religion, national origin, age, gender, gender identity, sexual preference, or any other category of people protected under anti-discrimination law. To appeal on the basis of discrimination, appellant must identify specific evidence of discrimination (e.g., a comment, statement, or act) and explain how the comment, statement, or act affected their examination outcome.

Abuse of discretion or bias - Abuse of discretion is the exercise of judgment made irrespective of the facts. Bias is an express or implicit favoritism or disfavor for specific individuals. To appeal on the basis of abuse of discretion or bias, appellant must identify the divergence of judgment from facts and data or the specific biasing relationship or factor and explain the reason that the conduct affected their examination outcome.

Statements that only express general disagreement with test results or with the judgment of raters are not bases for an appeal.

Review Process and Outcomes:

Examination appeals will be reviewed by the Director of Employment Services/Personnel Commission or his/her designee. All appeals will be thoroughly reviewed and determined to be either valid or denied. Appellants will be notified of the determination in writing. If valid, the Director of Employment Services/Personnel Commission will assess the possible effects of the appeal, if any, on the candidacy of the appellant, the examination process as a whole, and/or appointments from the eligibility list(s). Based on such assessment the Director may:

1. allow the appellant to participate in the examination process; or
2. change the rating of one or more applicants; or
3. temporarily suspend examination activities; or
4. dispose of the examination results and order for another administration of all or part of the examination to be conducted; or
5. withhold certification from all or part of the eligibility list(s).

The Director may, at any time, rescind or modify a decision to withhold certification upon review of the specifics of an examination appeal.

138 REVIEW OF EXAMINATION MATERIALS

Examination materials will not be available to the public or to any person for any purpose not directly connected with the examination and are considered confidential but will, under the following conditions, be made available to an applicant.

Conditions for review:

1. Requests to review examination materials must be made to the analyst in charge of the examination within three (3) business days following notice of the examination results. The date an applicant is notified of the results counts as a business day.
2. Only applicants' scores and evaluations are subject to review. Questions, items, scoring keys, rater notes, and rating criteria are not subject to review by applicants due to test confidentiality and security considerations. However, for written tests, applicants may indicate the questions they wish to have reviewed. Personnel Commission staff will make any necessary corrections or adjustments to the applicants' scores if a written test question is found to be flawed. If corrections are required, they shall be applied uniformly to all applicants if applicable.
3. A qualified representative of the Personnel Commission will be present during the examination review session.
4. Applicant's scores and evaluations will not include the identification of the rater(s).
5. Applicants may not leave with or make copies of any examination materials.

The Director of Employment Services/Personnel Commission may deny a request to review examination materials if he or she determines that granting the request would violate the security or confidentiality of the examination.