

SECTION 130 – EXAMINATIONS

131 EXAMINATION ANNOUNCEMENTS

Whenever it is necessary to fill existing or anticipated vacancies in the classified service or whenever an old eligibility list is about to expire or has been exhausted (see Section 142), competitive examinations will be held to provide a new list of eligibles. At least ten (10) days' public notice of such examinations will be given. The announcement will contain the following information:

- A. The date and place of examination
- B. The final date for filing of applications
- C. Information, when available, regarding the expected number of vacancies and any unusual conditions of employment such as place of employment, varied shifts, workweek, etc.
- D. The minimum qualifications including education, experience, knowledge, and abilities
- E. Description and requirements of any qualifying skills test
- F. Salary range for the classification
- G. Description of the duties and responsibilities of the classification
- H. Conditions of the competitive examination, including the examination components and their relative weights and the scope of the written and/or performance examinations when such information is available at the time of posting.
- I. Such other information as will assist the public in understanding the nature of the employment and the procedures necessary to participate in the examination

132 RELIGIOUS DOCTRINES EXCEPTIONS

Persons, whose religious doctrines do not allow for testing on specific days of the week may be allowed to take the examination on an alternate day, provided the required material is submitted to the Personnel Director and other requirements also listed below are met:

- A. Individual requests in writing to take the test on an alternate day. This request must be filed before the deadline for filing applications.
- B. Individuals must attach a signed letter from a religious leader that includes the following data:
 - 1. A statement that the candidate is a member of the religious group
 - 2. The reason(s) the test day is against the religious doctrine
 - 3. A quotation from the appropriate religious doctrine which would make participation in a test day contrary to the beliefs of the religious group

If the above letter is not possible because it is contrary to the religious doctrine, the candidate may write it himself/herself and make a statement at the end of the letter that all statements reflect the true facts.

- C. The individual must take the test on the assigned alternate day provided.
- D. The candidate must sign a statement that he/she received no help from other candidates where the same form of the tests has been given previously.
- E. Cost shall be kept to a minimum.

133 EXAMINATION RETAKE POLICY

A candidate who is unsuccessful in an examination component may not retake the same exam component for a period of ninety (90) calendar days provided the exam component is comprised of essentially the same questions or problems. This provision does not apply to the evaluation of minimum qualifications and other entrance requirements stated in the classification specification.

The 90 calendar-day period is applied to the period of time between the date the last eligibility list was established and the application filing deadline for the new examination.

An applicant who, under the provisions of this rule, is prohibited from retaking an exam component shall be permitted to compete in the examination for another classification provided the score most recently obtained for the exam component is used.

134 SCOPE OF EXAMINATIONS

The Personnel Director shall determine the standards of proficiency to be required for each examination and determine the examination components and weights as they relate to successful job performance required at entry. These shall be administered objectively in a technically acceptable manner as determined by the Personnel Director.

The Personnel Director shall ensure that personnel selection procedures are based on the principles of merit, comply with federal and State regulations, follow professional standards, and are planned, designed, constructed, and administered in an efficient and cost effective manner.

Examinations may be either written, oral, practical demonstrations of skill and ability, or any combination of these that assess the competencies required to perform the critical duties of the classification. The Personnel Director shall be responsible for determining the components of the examination.

All examinations, including individual components, shall be based on an analysis of the job. They should reliably assess the competencies required to successfully perform the primary functions of the job at the entry level.

134.1 EXAMINATION POLICY

All examinations will be open and promotional.

134.2 ORAL EXAMINATION

When an oral examination (interview) is conducted, the Personnel Director shall ensure the following:

1. Unless specifically directed to evaluate candidates' technical knowledge and skills, the interview panel shall confine itself to evaluating general fitness for employment in the classification. When assessing technical knowledge and skills, the panel shall consist of at least two persons technically qualified in the specified occupational area.
2. A first or second level supervisor over a vacant position for which the examination is being conducted shall not serve on the interview panel.
3. Members of the Board of Trustees or Personnel Commission shall not serve on an interview panel.
4. Interviews shall be electronically recorded.
(Ed. Code, § 88092.)

135 WEIGHTING AND SCORING OF EXAMINATIONS

All examination components shall be prepared under the direction of the Personnel Director who shall assign relative percentage weights to each component of the examination and determine passing scores. The procedure for setting percentage weights shall be impartial and shall bear a reasonable relationship to the duties performed.

The Personnel Director or his/her designee shall score examinations objectively. The Personnel Director or his/her designee shall not consider the identities of the individual participants in determining passing scores. When applicable, the Personnel Director shall determine the number of applicants who will proceed to subsequent phases of the selection process from among the total number of applicants who pass each examination component.

136 NOTICE OF RESULTS

Each applicant taking an examination will receive a written notice of the results of his/her examination, his/her final percentage rating and his/her ranking on the eligibility list, if applicable.

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 are considered confidential and will not be available to the public or to District employees not responsible for the administration of the examination or the review of associated complaints of unlawful discrimination. Examination materials will be made available to applicants under the following conditions:

1. Requests to review scores or evaluations 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.