

## CHAPTER 5: EXAMINATIONS

### 5.1 EXAMINATIONS

#### 5.1.1 **Examination Barred**

No examination announcement may be made and no part of any examination may be held for a new classification until the Commission has approved the class specifications.

#### 5.1.2 **Notices of Examination**

Whenever it is necessary to fill existing or anticipated vacancies in the classified service or whenever an existing eligibility list is about to be abolished in accordance with the provision of the law and these rules, the Personnel Commission's Director, Classified Personnel may direct the holding of an examination to provide eligible candidates to fill such actual and/or anticipated vacancies.

A job announcement bulletin shall give at least 15 working days public notice of such examinations. The notice shall be distributed widely throughout the District and in other potential recruitment areas or by publication in daily newspapers, periodicals or by any other such methods as may be deemed by the Director, Classified Personnel as necessary and appropriate to elicit applications from qualified individuals. The notice shall contain the following information:

- A. The date and place of the examination.
- B. The last date for filing applications. If there is doubt as to the adequacy of the labor market the job announcement may state, "Open until sufficient number of applications are received."
- C. Information concerning the expected number of vacancies and other conditions of employment.
- D. Description of essential duties and responsibilities.
- E. Minimum and additional desirable qualifications.
- F. Salary and/or other benefits.
- G. Such other information as will assist the public in understanding fully the nature of the employment and the procedure(s) necessary to participate in the examination.

*(Reference Education Code Section 45278)*

#### 5.1.3 **Posting Examination Announcements**

Announcement of all examinations shall be distributed to offices and places of employment throughout the District. The person in charge at the office or place of employment shall be responsible for posting or displaying each announcement in a prominent location beginning with the date of its receipt and continuing until the last day for filing applications stated in the announcement.

#### 5.1.4 **Promotional Examinations**

5.1.4.1 Examinations, where practicable, shall be promotional and shall be limited to District employees with permanent status in appropriate classes designated by the Commission.

5.1.4.2 **Eligibility for Promotional Examinations**

- A. Applicants for promotional examinations must meet the established minimum qualifications for the class, and their last performance evaluation shall have rated the employee "satisfactory" in all significant performance areas.
- B. Any probationary, provisional appointee, or other regular employee who is substituting in a higher class, who immediately preceding held permanent status in an eligible class, shall be deemed to meet the requirement of permanent status for eligibility to compete in a promotional examination.
- C. Employees who have not completed their initial probationary period in the classified service may compete in promotional examinations, but will not be considered a promotional candidate unless their probationary period is completed by the date the Eligibility List is ratified by the Personnel Commission.
- D. An employee on leave of absence has the rights of a permanent employee, and is considered a promotional candidate when taking tests for employment with seniority points being added if an open/promotional eligibility list is established.

5.1.5 **Open and Promotional Examination**

5.1.5.1 When an adequate promotional field of competition does not exist or when there is doubt of its adequacy, the Director, Classified Personnel may order a simultaneous open and promotional examination.

5.1.5.2 **Seniority Credit - Open and Promotional Examinations**

In open and promotional examinations, current permanent District employees shall have seniority credit added to their final passing scores in the amount of .25 (or ¼) points for each year of District service not to exceed a total of five points. These points will be added prior to merging names on the list. Credit shall be granted for time spent in regular status in the classified service and on paid leave from the classified service. A full year's credit shall be granted to employees whose regular position is assigned on less than a calendar-year basis. Credits shall be calculated for units of not less than a half year.

5.1.6 **Qualifying Examination (Noncompetitive)**

A Qualifying noncompetitive examination is administered in instances of the reclassification of an incumbent employee, having served less than two (2) years in the position being reclassified. The Personnel Commission determines those instances when equity and the good of the service require administering a qualifying examination. The examination is the same, or substantially the same examination as is administered competitively for vacancies in the same classification. However, testing is limited to permanent employees as authorized by the Commission and the eligibility list produced is an unranked list of those employees passing the exam.

*(Reference Merit Rule 3.3.4) (Revised 10/14/04)*

5.1.7 **Continuous Examination**

- A. When there is a shortage of eligibles to fill vacancies in the service in any class, the Personnel Commission may authorize recruitment by continuous examinations.
- B. All qualified applicants who have applications on file at the time of the examination shall be notified.
- C. The examination shall be given under similar conditions and techniques as previous examinations for the same class.

- D. The resulting eligibility list may be merged with previous lists for the class in the relative order of merit of the eligibles.
- E. Continuous examination procedures for any class may be terminated by appropriate action of the Personnel Commission.

5.1.8 **Admission to Examination**

Each applicant whose application has been approved shall be notified a reasonable time in advance of the time, date and place of the examination. This notice shall be the applicant's authorization to take the examination. No candidate may be admitted to the examination without such authorization. Proof of identity by picture I.D. will be required for entrance into the examination room.

5.1.9 **Content of Examination**

Examinations may be a written, oral, or a performance test in the form of a practical demonstration of skill and ability, or any combination of these. Any investigation of education, experience, character, or identity and any tests of technical knowledge, manual skill or physical or mental fitness, which, in the judgment of the Commission serves this end, maybe employed.

All examinations shall be prepared under the direction of the Director, Classified Personnel. With the approval of the Commission, the Director, Classified Personnel may secure the assistance of any competent person or agency outside the District in the preparation/validation of examinations. Examinations, whether prepared within the District or secured from outside sources, shall be considered confidential and administered only by the Director, Classified Personnel, Classified Personnel staff or designee.

*(Reference Education Code Section 45273)*

## **5.2 WRITTEN EXAMINATION PROCEDURES**

### **5.2.1 Written Exams**

- A. All competitors in any written examination must take the examination on the prescribed date and under the same or similar conditions unless otherwise approved in advance by the Director, Classified Personnel.
- B. All necessary explanations will be made to the whole group and no examination question will be explained to any individual competitor. Examiners are forbidden to explain the meaning of, or to make remarks relating to, any questions that may assist in their solution.
- C. Competitors are forbidden to receive or utilize help of any kind during the examination except as may be necessary to accommodate a disability; the method(s) of assistance must be approved in advance by the Director, Classified Personnel or his designee. Communication between competitors while the examination is in process is forbidden. Before beginning the examination, competitors will be required to hand to the examiner any printed or written material in their possession that might aid them in the examination, unless such material is expressly permitted as part of the examination process. Evidence of copying or collusion by a competitor shall result in the cancellation of his examination papers and debarment from future examinations. Copies of questions in the examination shall not be made or taken from the examination room.
- D. Any competitor in any examination who places any identifying mark upon the examination papers (other than the identifying mark prescribed at the time of the examination), or makes any attempt to disclose to others the identity of their papers prior to the completion of the examination shall be disqualified.

### **5.2.2 Rating Required**

All examination papers shall be graded under the direction of the Director, Classified Personnel or the authorized person or agency outside the District employed for this purpose.

- A. Competitors may be required to attain a designated final rating in all parts of the examination in order to qualify, or the lowest qualifying mark may be the final score of the lowest candidate chosen to be placed on the eligibility list.
- B. The qualifying score on written examinations may be an actual score or an adjusted score based on the difficulty of the examination, the quality of competition, and the needs of the service. The determination of minimum qualifying scores on written examinations shall be made before any examination papers are identified.

### **5.2.3 Review of Written Test**

- A. An applicant may file a request for review of the written test. Such requests shall be filed with the Director, Classified Personnel within 24 hours of the examination. A place, date, and time for review of the test paper may be set. A member of the Classified Personnel office staff shall be present at all times during the review. No candidate may copy or remove any questions or answers from the review room.
- B. A protest of the written exam may be filed within 24 hours of the written exam or of the written exam review. The candidate may protest in writing any questions, outlining the basis for the protest and shall state the remedy sought.

- C. The Director, Classified Personnel shall review and act upon all protests of written examinations. The Director, Classified Personnel may allow more than one answer to a question or may disqualify a question, if he/she finds the protest to be valid. If a protest results in any change, the test papers of all applicants will be reviewed and re-graded accordingly.
- D. The Director, Classified Personnel shall inform the candidate of his decision. If the Director, Classified Personnel rules against the protest, the candidate may appeal to the Personnel Commission, but the appeal shall not delay other parts of the examination process.
- E. A competitor's examination papers shall be open for inspection only to the competitor, an attorney or other designated representative upon written authorization of the competitor.
- F. An appointment made in good faith from an eligibility list believed to be correct at the time of appointment shall not be invalidated if an error is later discovered in the grading of the examination papers or in the processing of the applications; however, the Director, Classified Personnel shall notify the appointing power in writing if the corrected grade of the appointee is found to be below the passing score for that examination.

*(Reference Education Code Section 45274)*

5.2.4 **Examination Results**

When the written test papers of all competitors have been graded, each candidate will be notified of his/herscore.

5.2.5 **Examination Papers**

All examination papers submitted by competitors are the property of the District and are confidential records.

*(Reference Education Code Section 45274)*

### **5.3 ORAL EXAMINATIONS**

#### **5.3.1 Qualifications Appraisal Interview (QAI) - Oral Exams**

- A. Competitors eligible for the QAI will be examined at the earliest practicable date after conclusion and rating of any earlier test(s).
- B. The QAI Board will consist of two or more persons who are familiar with the work of the class for which the examination is being held. If the oral examination board is directed to evaluate the candidates' technical knowledge or skills, at least two members of the board shall be technically qualified in the specific occupational area.
- C. No member of the Commission or Board may sit on the panel. District employees are permitted to sit on the panel if they are not first or second level of supervision over a vacant position in the class being examined.
- D. All oral examinations must be electronically recorded and the tapes and rating sheets must be kept for not less than 90 days after establishment of the eligibility list. Unless an appeal has been filed within the existing rules, 90 days after establishment of the eligibility list all tapes and rating sheets may be destroyed.
- E. Oral examination boards shall not be provided confidential references on employees of the District competing in examinations.
- F. Scores achieved by a candidate on other parts of the examination shall not be made available to the oral examination board.

*(Reference Education Code Section 45273)*

#### **5.3.2 Review and Appeal Procedure for Oral Examinations**

- A. Upon completion of the oral examination the candidate has 24 hours to file a request for review of their portion of the oral examination. The candidate will be notified of a date, time, and place for review of the oral examination.
- B. A competitor's oral interview may be listened to only by the competitor or his/her representative. The interviews of other competitors shall not be available for review.
- C. A protest of the oral examination may be filed within 24 hours of the oral examination or review of the oral examination. The protest must be in writing and shall state the basis for the protest and the remedy sought.
- D. Protests may be based on any of the following reasons:
  - 1. Unlawful discrimination of any kind, including but not limited to discrimination on the basis of race, color, creed, sex, national origin, marital status, age, or disability not subject to reasonable accommodation.
  - 2. That the questions asked were unrelated to the job.
- E. If a protest is filed, all tapes and rating sheets will be kept on file until the protest or appeal has been exhausted, after which all tapes shall be erased and rating sheets shall be destroyed in accord with procedures of Merit Rule 5.3.1.D.
- F. The Director, Classified Personnel, shall review and act upon all protests of oral examinations. The Director, Classified Personnel may disqualify a question, if he/she finds the protest to be valid. If a protest results in any change, the Director will review whether to reconstitute the panel, in order to regrade the candidate's evaluation, or to overturn the results of the oral examination in its entirety.

- G. The Director, Classified Personnel, shall inform the candidate of his/her decision. If the Director, Classified Personnel, rules against the protest, the candidate may appeal to the Personnel Commission, but the appeal shall not delay other parts of the examination process.
- H. Upon receipt of the appeal, the Commission shall set a date for hearing, hear all of the evidence, and render a decision. Its decision shall be transmitted in writing to all concerned and shall be final.
- I. If a protest is filed in a promotional examination, the review and protest procedure shall be held prior to appointment from an eligibility list unless continuous examination procedures have been authorized for the class.
- J. An appointment made in good faith from an eligibility list believed to be correct shall not be invalidated if an error is discovered. (Reference Education Code Sections 45274, 45293)

*(Revised 1/16/03)*

5.3.3 **Rounding of Examination Scores**

Applicants shall be placed on eligibility lists in the rank order of their relative merit as determined by competitive examination. The final scores of candidates shall be rounded to the nearest whole percent for all eligibles. All eligibles with the same percentage score will be considered as having the same rank. Appointments shall be made from eligibles having the first three ranks on the list who are ready and willing to accept the position.

**5.4 NOTICE OF TEST RESULTS**

5.4.1 **Final Score Notification**

As soon as the rating of all examinations has been completed and the eligibility list established, each competitor shall be notified by mail of the result of the examination and final placement on the list.