

CHAPTER 5

RECRUITMENT AND EXAMINATIONS

5.1 RECRUITMENT

5.1.A ANNOUNCEMENT OF EXAMINATION: The Personnel Commission shall direct and administer the holding of examinations for the purpose of creating lists for the Classified Service.

1. No examination announcement may be made and no part of any examination may be held for a new position until the Board has authorized the position duties, and the Commission has completed the position classification including the establishment of minimum qualifications. (Note: A newly-created position is one which does not have a previously separate existence.)
2. Whenever it is necessary to fill existing or anticipated vacancies and an appropriate eligibility list does not exist (as determined by the Commission), the Personnel Commission shall announce each examination on an Employment Opportunities bulletin which shall be distributed to all employee work sites and community locations for at least fifteen (15) working days. The Director of Human Resources shall determine the appropriateness and may place advertisements in newspapers, trade and business journals or other media. The Director of Human Resources shall make every effort to notify community agencies and to ensure that organizations dealing with women, minorities, protected groups, and the physically/mentally/emotionally are notified of "open," "promotional and open" or "merged" examinations.
3. The Employment Opportunity bulletin shall contain the title of the class and shall include the following:
 - (a) Information concerning the location of employment, the expected number of vacancies, and other conditions of employment.
 - (b) A description of the scope of duties and responsibilities of the class.
 - (c) The minimum qualifications and requirements of the class.
 - (d) The salary, benefits, and other compensation.
 - (e) The last (closing) date for filing applications.

- (f) The general content of the examination and the types of tests to be given.
- (g) The weighting of examination sections.
- (h) Such other information as will assist interested persons in fully understanding the nature of the employment and procedures necessary to participate in the examination.
- (i) Promotional job announcements shall list the salary range number of the position.

REFERENCE: Education Code Sections 88009, 88080, 88081, 88091 and 88097

5.1.B POSTING OF EMPLOYMENT OPPORTUNITY BULLETIN: The Employment Opportunity bulletin shall be routed to classified employees and posted on institutional bulletin boards. The person in charge at the office or work site shall be responsible for posting or displaying each announcement in prominent location beginning with the date of its receipt and continuing until the last day of filing application stated in the bulletin.

5.2 EXAMINATIONS

5.2.A DETERMINATION OF EXAMINATIONS: The Personnel Commission shall determine the standards of proficiency to be required for such examination and determine whether the examination shall be:

1. Open Competitive
2. Promotional
3. Promotional and Open Competitive with the Promotional list taking precedence
4. Merged

REFERENCE: Education Code Sections 88091 and 88103

5.2.B OPEN COMPETITIVE EXAMINATIONS: The entry level classification (class lowest on the salary schedule) with the Classified Service of the District shall always have an open competitive examination and veterans' preference points shall be allowed as specified in Chapter 5.2.P. These examinations shall be open to all qualified applicants.

5.2.C PROMOTIONAL EXAMINATIONS: Where an adequate field of competition exists within the District and examinations can reasonably be expected to result in three qualified ranks of eligibles, the field of competition may be limited to promotional applicants.

1. Promotional examinations shall be restricted to probationary and permanent employees of the District and former employees on a valid reemployment list who meet the qualifications of the class. Probationary employees (defined as those employees who hold no permanency of tenure in any classification in the District) may take the exam, but will not be able to be selected from the promotional eligibility list until completion of their probationary period.
2. The most recent performance evaluations must have "overall" service rating of "satisfactory" at the time of application shall be eligible to compete if they meet the qualifications for the class as established in the class specifications.
3. If an evaluation appeal is in progress, the employee shall be permitted to compete in the promotional examination pending the outcome of the appeal.
4. Longevity credit will not be added to the scores for promotional eligibility list.

REFERENCE: Education Code Sections 88080, 88081, 88091 and 88103

5.2.D PROMOTIONAL AND OPEN COMPETITIVE EXAMINATIONS: Where an adequate field of promotional applicants does not exist or there is doubt as to its adequacy, the Director of Human Resources may advertise the examination among employees and the general public.

1. Applicants shall be considered as a group in determining passing scores on the examination.
2. This examination procedure shall result in a promotional and an open eligibility list. The promotional eligibility list shall take precedence when certifying eligibles. When the promotional eligibility list does not contain sufficient ranks of eligibles (defined as having fewer than three eligible ranks who are ready and willing to accept the assignment), certification of additional ranks shall then be made from the open list. Example: Only two eligible ranks of employees remain on the promotional list and there is a valid open list. The last two eligible ranks of employees off the promotional list will be considered as ranks one and two and the first rank on the open list will be the third rank. The appointing

authority will then interview the top three ranks of willing and ready candidates off the newly combined Promotional/Open List.

REFERENCE: Education Code Sections 88003, 88080, 88081 and 88091

5.2.E MERGED EXAMINATIONS: Upon the recommendation of the Director of Human Resources, the Commission may authorize the holding of an examination under merged procedures which uses the promotional and open competitive methods. The resulting eligibility list shall consist of promotional and open competitive eligibles in one merged list. Veteran's credits will not be allowed, however, longevity credit for promotional candidates will be allowed. The list shall be merged according to the order of the examination scores including longevity credit into a single eligibility list.

REFERENCE: Education Code Sections 88101 and 88103

5.2.F CONTINUOUS EXAMINATIONS: The Commission may designate examinations for specified classes as continuous examinations. Applications shall be accepted every working day and examinations shall be given as the need arises.

1. The examination shall be given under similar conditions and techniques as previous examinations for the same class. The examination shall be administered as applicants are available.
2. If a Qualifications Appraisal interview is required, the interview panel may consist of two persons who may be employees of the District or the Commission, as designated by the Director of Human Resources.
3. The resulting eligibility list may be merged with previous lists for the class in relative order of scores of the eligibles.
4. A candidate who is unsuccessful in an examination may not retake the examination for the same classification for a period of 90 calendar days.

REFERENCE: Education Code Sections 88092 and 88111

5.2.G FIELD OF COMPETITION: A field of competition for the type of recruitment as indicated in Rules 5.2.A should be developed and forwarded to the Personnel Commission for approval annually. The recommendation for each classification shall be indicated as "open," "promotional," "promotional and open," and "merged" and submitted not earlier than the second meeting in November and later than the first meeting in January for the new calendar year.

REFERENCE: Education Code Sections 88092 and 88111

5.2.H TYPES OF EXAMINATIONS: Examinations shall be conducted by the Commission's staff and shall be administered objectively and shall consist of test parts that relate to job performance. The parts may be any of the following:

1. Written examination.
2. Practical demonstration of skill.
3. Evaluation of applicants' training and experience submitted on application and supplemental application materials.
4. Evaluation of training, education, and experience by a qualifications appraisal interview panel.
5. Other tests of fitness determined by the Commission.

REFERENCE: Education Code Sections 88080 and 88092

5.2.I SCORING AND WEIGHING OF TESTS: All examinations parts shall be prepared under the direction of the Director of Human Resources, who shall determine passing scores and assign relative percentage weights to each part of the examination. The procedure for setting percentage weights shall be impartial and shall bear a reasonable relationship to the duties performed.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.2.J QUALIFICATIONS APPRAISAL INTERVIEW EXAMINATIONS: If an examination requires the use of a Qualifications Appraisal interview panel, the Director of Human Resources shall assure that the following rules are followed:

1. The panel shall consist of three persons and at least two persons are necessary to perform screening for technical qualifications.
2. An employee of the District or of the Commission may serve on an interview panel if that employee is not at the first or second level of supervision over a vacant position in the class for which the examination is being held.
3. Unless specifically directed to evaluate candidates' technical knowledge and skills, the interview panel shall confine itself to evaluating general fitness for employment in the class.

4. When the interview panel is directed to evaluate technical knowledge and skills, at least one member of the panel shall be technically qualified in the specified occupational areas under examination.
5. Members of the Board of Trustees or Personnel Commission shall not serve on an interview panel.
6. Interviews shall be electronically recorded and filed in the Commission Office for one year from date of interviews.
7. Scores achieved by the candidate on other parts of the examination shall not be made available to the interview panel.
8. In no case will an oral or performance examination board be provided with confidential references on employees of the District who are competing in examinations.
9. In interview panel examinations, ratings accorded competitors shall be expressed in percentages with 70% being the minimum qualifying rating. Ratings shall be made independently by each interviewer either before or after discussion with other interviewers. Ratings shall be made on forms prescribed by the Director of Human Resources, which shall be signed by the interviewer and be delivered to the Director of Human Resources or his/her representative. All final markings shall be made in pen. When a competitor is disqualified by a member of the Qualifications Appraisal Interview Board, the interviewer shall make a record of the reason(s) on the rating sheet.
10. The ratings of the several members of the Qualifications Appraisal Interview Board shall be averaged to determine each candidate's final rating. If the majority of the rating panel gives a candidate a score of at least 70%, but the final averaged score is below 70%, the candidate shall be given a final rating of 70%. If the majority of the rating panel gives a candidate a score below 70%, but the final averaged score is above 70%, the candidate shall be disqualified regardless of the fact that his/her average rating may be 70% or more. If the panel consists of only two raters, the final score shall be the average of the two raters.

REFERENCE: Education Code Sections 88080 and 88092

5.2.K EVALUATION OF TRAINING AND EXPERIENCE: If a part of the examination is an evaluation of the applicant's training and experience, the evaluation shall be individually and independently conducted by at least two members of a committee other than the interview panel. The scores

of all applicants shall be listed in rank order. The Director of Human Resources shall determine and weigh the passing scores of the training and experience evaluation.

REFERENCE: Education Code Section 88080

5.2.L 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, and such notice shall be the applicant's authority to take the examination. No candidate may be admitted to any examination without this authorization or other satisfactory evidence of having filed an acceptable application. In addition, each candidate must provide personal identification (with picture I.D.) at time of examination admittance in order to take the test.

REFERENCE: Education Code Sections 88080 and 88081

5.2.M EXAMINATION PROCEDURES: Competitors in any written test must take the test on the prescribed date unless approved by the Director of Human Resources.

1. Copies of the questions in a test shall not be made by competitors or other unauthorized persons.
2. Where written tests are required, they shall be so managed that none of the test papers will disclose the name of any competitor until all papers of all competitors in a given examination have been marked and rated. The only exception to this rule shall be if the Commission maintains a computerized and automated test scoring system which will automatically and accurately score the exams of all competitors, and which has built-in safeguards to insure that an individual examination score cannot be falsely altered.
3. A competitor in any examination who places an identifying mark upon his/her test papers, other than the identifying mark prescribed at the time of examination, or makes an attempt to disclose to others the identity of his/her papers prior to the completion of the examination may be disqualified.

REFERENCE: Education Code Sections 88080, 88081 and 88092

5.2.N RATING REQUIRED: Candidates may be required to attain a designated minimum rating in each part or in combined parts of the selection process to qualify for participation in the next succeeding part.

REFERENCE: Education Code Sections 88080, 88081 and 88092

5.2.O LONGEVITY CREDIT: Longevity credit points shall be added to the final passing scores of candidates who have permanency with the District or who are on a valid reemployment list. A full year's credit shall be granted to employees whose regular position is assigned on less than a full calendar year basis or less than an eight hour day. Longevity credit rights shall be considered as having been lost when the services of an employee have been separated from active employment status for a period of 39 months or more. The following is the schedule of longevity credits allowed:

1. 1.0 point after completion of the one and one-half (1½) year of service, but less than five and one-half (5½) years of service.
2. 2.0 points after completion of the five and one-half (5½) years of service, but less than nine and one-half (9½) years of service.
3. 3.0 points after completion of the nine and one-half (9½) years of service, but less than thirteen and one-half (13½) years of service.
4. 4.0 points after completion of the thirteen and one-half (13½) years of service, but less than seventeen and one-half (17½) years of service.
5. 5.0 points after completion of the seventeen and one-half (17½) years of service and all years thereafter.

REFERENCE: Education Code Sections 88080, 88081, 88091 and 88100

5.2.P VETERAN'S PREFERENCE: A veteran, as defined in this Rule, shall mean an individual who has served at least thirty (30) days of active duty in the United States Air Force, Army, Navy, Marine Corps, or Coast Guard between the dates listed below:

World War II...December 7, 1941 to December 31, 1946
Korea.....June 27, 1950 to January 31, 1955
Viet Nam.....August 4, 1964 to May 7, 1975
Persian Gulf....August 2, 1990 to February 28, 1992

Veteran's credit will also be awarded if the applicant has served in a campaign or expedition for which a campaign medal has been authorized, such as El Salvador, Lebanon, Granada, Panama, Southwest Asia, Somalia, Haiti, Afghanistan, and Iraq, or he/she has received an Armed Forces Expeditionary Medal, all of which is noted on the Defense Department Form DD-214, which is used to verify qualifications for veteran's preference. *(Amended 5.2.P – 12/12/05)*

1. Veterans, except disabled veterans, shall have an additional five (5) points added to their final score in the entry-level examinations if they are on an open or open/promotional eligibility list.
or
2. Disabled veterans shall have an additional ten (10) points added to their final score in entry-level examinations if they are on an open or open/promotional eligibility list. A disabled veteran is an individual classified by the U.S. Veteran's Administration to be ten percent (10%) or more disabled as a result of service in the Armed Forces of the United States.
3. Entry-level positions are defined as all positions within the Classified Service, except for any designated as a supervisory or management position by the Personnel Commission.
4. Veteran's preference shall be granted for initial employment only.

REFERENCE: Education Code Sections 88080, 88081, 88113, 88114 and 88115

5.2.Q NOTICE OF FINAL SCORE: Each candidate who qualifies, shall be notified by the Personnel Commission's staff within seven (7) working days after completion of the examination of his/her standing on the eligibility list. Candidates who do not qualify shall be notified within seven (7) working days after completion of the examination.

REFERENCE: Education Code Sections 88080 and 88081

5.2.R VIOLATION OF THESE EXAMINATION RULES/LAW: Whenever the Personnel Commission, after a public hearing, finds that any appointment has been made in violation of the Education Code provisions of the merit system, or these Rules as they apply to examination procedures, the Commission may order that no salary warrant shall thereafter be drawn to the employee so appointed, for violation of the merit system sections of the Education Code or the Rules of the Personnel Commission as they apply to examination procedures shall constitute grounds for the dismissal of the employee or employees guilty of such violation.

REFERENCE: Education Code Sections 88080, 88081, 88129 and 88130

5.3 REVIEW AND PROTEST OF EXAMINATION:

5.3.A RETENTION OF ALL EXAMINATION RECORDS: Examination records, including test answer sheets, tape recordings of interviews and the rating sheets of each member of an oral interview panel shall be retained by the Personnel Commission for a period of one (1) year.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3.B EXAMINATION RECORDS SHALL BE CONFIDENTIAL: Examination records shall be confidential. Records, such as identifiable ratings of oral panel members and confidential references of previous employers shall not be available for review. Examination papers on a form test, a commercial standardized aptitude or achievement test, or test material which has been rented or leased or obtained under a contract and where the terms of such rental or leasing or contract prohibit such review or inspection, shall not be subject to inspection by a candidate.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3.C AVAILABILITY FOR REVIEW: Remaining examination records, such as papers, tapes and scores of the candidate or eligible shall be available for review only by the candidate or eligible or his/her representative. The candidate or eligible or his/her representative may not review the records of another person.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3.D NOTIFICATION OF RESULTS AND REVIEW: Notification of test results shall be provided to candidates as soon as practicable following administration of the test. Review of test parts of the examination shall be made during the five (5) working days following notification of examination results. At the time of review, the candidate may protest in writing, any part of the examination, outlining the basis for the protest and stating the remedy sought. No candidate may remove or copy information from the examination materials.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3E FAILURE TO FILE PROTEST: Failure to review or file a protest with the Director of Human Resources within the review period shall constitute a waiver of the right to appeal that part of the selection process.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3.F DIRECTOR OF HUMAN RESOURCES SHALL REVIEW ALL PROTESTS: The Director of Human Resources shall review and act upon all protests. The Director may allow more than one (1) answer to a question or may disqualify a question if the protest is valid. If a protest results in any change, the test papers of all candidates will be reviewed and re-scored accordingly.

REFERENCE: Education Code Sections 88080, 88081 and 88093

5.3.G

APPEAL TO COMMISSION: The Director of Human Resources shall inform the candidate who has submitted the protest of his/her decision and notify the Personnel Commission. That decision shall be in writing and served in person or by certified mail (Return Receipt Requested) to the applicant. This requirement will be deemed to have been met if the Director's decision is sent certified mail to the last known home address on file in the Personnel Commission Office. Failure of the applicant to retrieve delivered mail, or respond to notifications by the U.S. Postal Service of attempted delivery shall not be grounds for voiding notification, or the staying of the timelines outlined in these rules. The responsibility for keeping the District informed of a home address is the requirement of the applicant. For purposes of this rule, if a notice is mailed, the second working day following the postmark date of the notice shall be considered to be the official date of receipt. Should the Director of Human Resources rule against the protest, that decision may be appealed to the Personnel Commission. However, the filing of such an appeal shall not stop or otherwise delay the selection (examination) process unless so ordered by the Personnel Commission. All correspondence mailed to applicants shall also be mailed to the Personnel Commissioners.

1. Appeals to the Personnel Commission shall be submitted in writing to the Personnel Commission Office within five (5) working days of receipt of the decision of the Director of Human Resources.
2. Appeal must state the specific examination parts or items protested, the basis for the protest, and the remedy sought by the candidate.
3. The Personnel Commission shall hold a hearing to hear the appeal of the applicant. The decision of the Personnel Commission shall be in writing and served on the applicant using the procedures outlined in Chapter 5.3.G. The decision of the Personnel Commission shall be final and binding on all parties.

REFERENCE: Education Code Sections 88080 and 88081