

CHAPTER VIII EXAMINATION AND TESTING

8.01 Examination Plan

- A. Examinations shall be administered in an objective, efficient and cost-effective manner and shall be announced as often as necessary to fill existing or anticipated position opening(s) within the classified service. The Director shall be responsible for the administration of the examination plan including the selection and relative weight of test parts, determination of testing schedules and subject matter and technical experts.
- B. Examinations shall be developed according to technical and professional standards. All subjectively rated examination test parts shall be standardized to the extent possible. The Director may consult with subject matter experts, administration, other office staff and persons from external agencies to assist in examination and test part development.
- C. Other testing formats, methods and systems made possible through the advancement of technology, testing development firms, or other public education employers, shall be considered and utilized provided examination standards, character, and objectivity are maintained as required by these rules.
- D. The Director shall be responsible for examination development and validity, and shall reaffirm that every examination is based on the principles of the merit system pursuant to the appropriate education code sections as well as the rules contained herein.

8.02 Types of Examinations

Examinations shall be administered to fill anticipated or existing position openings in the classified service. In establishing eligibility lists for classes in the classified service, the Director shall administer examinations as specified in Rule 8.03 and Appendixes A and B. Both promotional and open examinations may be given concurrently.

- A. Open: competition is open to the general public where any qualified person may participate.
- B. Promotional: competition is restricted to classified and certificated employees of the County Office of Education who meet prescribed qualifications.
- C. Open and Promotional: competition is simultaneously open to the general public and to County Office employees who meet the minimum qualifications. Successful open candidates and promotional candidates are respectively assigned to the open list or promotional list. Decisions to determine the classes to be filled from an open and promotional competitive examination shall be made by the Director.
- D. Continuous: applications are accepted on any working day. Competition shall proceed when sufficient competition exists amongst qualified candidates. The Director, with the concurrence of the Commission, shall designate classes or positions to be filled under a continuous examination (Education Code Section 45292).
- E. Dual Certification: applications and competition is simultaneously open to the general public and to County Office employees who meet the minimum qualifications. Successful candidates are assigned to the same eligibility list.

Reference: Education Code 45272, 45282 and 45284

8.03 Examination Requirements for Certain Classes

- A. Classes designated as classified management, supervisory or executive secretarial (confidential) as well as the Director and Personnel Analyst shall be administered using dual certification. Certain classes with specialized or technical skill requirements or professional non-teaching certificates shall also be administered using dual certification (refer to Rule 8.02(E)).
- B. Notwithstanding the provision of Rule A, above, examinations for managerial positions in business management classes shall be given concurrently as open and promotional to attract competent and qualified applicants from the classified service and the community meeting the minimum qualifications. The resulting eligibility lists shall be merged and established pursuant to Rule 8.02(C) (Education Code Section 45280).

- C. Examinations for senior management, executive secretarial (confidential) or staff assistant positions shall be given pursuant to these rules. Selections shall be made from an unranked list of eligible persons who have been found to be qualified for such positions as specified by the County Superintendent of Schools and determined by the Personnel Commission (Education Code Section 45272).

8.04 Examination Test Parts

Examinations shall be based on the minimum qualifications of the class for the position opening(s) to be filled. Test parts shall measure and assess job knowledge, abilities and traits, necessary, to successfully perform the essential duties at entry to the class. Examinations shall consist of one or more of the following test parts (Education Code Section 45273):

- A. Training, Education and Experience Evaluation

A rating or assessment of relevance level, progressive and quality of education and experience offered by candidates, which may be done by a review of written statements or responses to predetermined job-related questions made by candidates on the official application or in supplement forms.

- B. Written Examination

A measurement of job knowledge, abilities, judgments, aptitudes or alertness, insofar as such traits, related to perform the work in the class. A written examination may include true/false, multiple-choice or essay questions.

- C. Performance Skill Test or Practical Exercise

Evaluation of facility, speed or accuracy and/or where typical tasks of the class are performed.

- D. Qualifications Appraisal Interview (QAI)

Also known as the oral panel examination where a group of qualified persons evaluate candidates through a scored assessment of their responses to a standard set of questions. Oral panel examinations assess the relevance, quality of experience, training skills and education and specific job knowledge and abilities required for the class at entry.

- E. Medical Examination

Examination by a licensed physician shall be required for safety sensitive classes or other positions requiring a pre-placement physical.

- F. Other

Any other investigation of education, experience, character or identity, and test of technical knowledge, manual skill or physical and mental fitness which, in the judgment of the Director, serves this end may be employed.

8.05 Examination Papers and Records

The Director shall establish administrative procedures for assuring the confidentiality of examination papers and records and the privacy testing of participants. All examination papers submitted by competitors shall become property of the Personnel Commission and shall be maintained as confidential records.

- A. Unauthorized persons shall not have access to any examination materials. Copies of examination questions shall not be made available to competitors or other unauthorized persons. In addition, applicants may not serve as subject matter experts in the development of examinations. Competitors who violate this section will be disqualified.
- B. Written answer sheets of competitors shall be administered in a method that assures no disclosure of the name of any competitor until the written examination papers of all competitors have been rated and scored. This rule shall not apply when using a computerized testing system with built-in safeguards that ensure examination scores cannot be altered (Education Code Section 45273).
- C. The names, addresses, telephone numbers and other personal data of competitors, in any examination, shall not be made public, nor open to inspection, except as specified by these rules.
- D. Examination records including, answer sheets, test keys, oral recordings and rating sheets of oral examination panel members for each candidate shall be made available for inspection by the County Superintendent of School or his/her designee to whom candidates are certified. Such records shall be retained in Classified Personnel Services for the entire life of an eligibility list including subsequent extensions as required by law (Education Code Section 45272).

8.06 Test Administration

The Director shall schedule and administer examinations as the current and anticipated needs of the service required. He/she shall be responsible for administering examinations and scoring test parts.

A. Scheduling

1. Scheduled test date(s) shall, whenever possible, be announced in all examination bulletins for classes with position opening(s).
2. Every competitor shall be notified, in advance, of date, time and location of the examination or test part.
3. Every competitor must present his/her (valid) pictured identification card or examination notice for admission into the examination room. No competitor may be admitted without satisfactory demonstration of having filed an acceptable application.
4. Every competitor must participate in test part or examination on the prescribed date and time. Exceptions may be made to honor a request from a competitor provided the following conditions are met: a) Any request to change date or time is made, in person or in writing, to the Director; b) The Director deems the request is justified based on the reason(s) including, but not limited to, personal illness, personal emergency or civil commitment; and c) Any approved change(s) shall not delay the progress of the examination procedures.
5. A competitor, who arrives (late) for any group given test after other competitors have started, shall be disqualified, unless Commission staff are aware or made aware of the unusual circumstances that prevented punctual arrival. In which case, the competitor may be administered the examination; however, it must commence prior to the group ending time. When extraordinary circumstances, known in advance by Commission staff, are anticipated to have an adverse impact on the test group or field of competition, the examination may be delayed to allow adequate time for competitors to arrive or to afford late competitors the ability to commence the examination prior to the group ending time.

B. Assistance of Special Examiners or Subject Matter Experts

As needed, the Director may appoint a special examiner or subject experts to assist with applicant screening or any phase of the testing process. Special examiners or subject matter experts may be paid reasonable expenses and/or daily fees in accordance with budgetary provisions of the Commission.

When the Director determines to employ or seek the assistance of a special examiner or subject matter expert, the following rules shall apply:

1. A reasonable effort to enlist the aid of a person who is not at the first or second level over the position in question and shall make a reasonable effort to avoid persons he/she has reason to believe are associates of applicants or competitors.
2. A first-level supervisor or a person or persons responsible for or involved in final appointment or selection processes shall not serve as a special examiner or subject matter expert.
3. In the event that a first- or second-level supervisor or manager must be used, a second-level supervisor shall be preferred over a first-level supervisor, if practicable.
4. Identities of applicants or competitors shall not be disclosed to a person serving as a special examiner, subject matter expert or technical advisor. Copies of applications and test papers shall be made from original documents. The copies shall be blackened out, where necessary, as to not disclose the identity of an applicant or competitor, unless impractical to do so.

C. Disqualification

In addition to the reasons for disqualification specified in Rule 7.06, the Director may also disqualify a competitor for the following:

1. Placing an identifying mark upon examination papers (other than the identifying mark prescribed at the time of examination administration) or who makes an attempt to disclose to others the identity of that competitor's papers prior to the completion of the examination shall be disqualified.
2. Fails to attain the minimum passing score or rating required in a test part or examination in order to proceed to the succeeding part. In any keyboarding, typing or dictating skill test, competitors must demonstrate possession of such skill(s) at the rate(s) specified in the class specifications.

D. Minimum Qualifying Ratings or Test Scores

The final score of a competitor shall be based upon all test parts or evaluations in the examination, according to the weights approved by the Director. The Director shall set minimum qualifying ratings for each test part and shall disqualify those competitors who fail to achieve the minimum ratings from the next test phase of the examination.

1. The final scores of competitors shall be rounded to the nearest whole percent for all eligible persons. All eligible persons having the same percentage score will be considered as having the same rank. Appointments shall be made from the eligible persons having the first three (3) ranks on the eligibility list (Education Code Section 45272).
2. Service credit shall be added to the final passing scores of promotional candidates. Credit of .25 points shall be granted for each completed year in regular status in the classified service and on leave from the classified service while otherwise employed by the County Office of Education pursuant to Rule 8.11.
3. In the case of all entrance examinations, veterans with 30 days or more of service who become eligible for appointment by attaining the passing mark established for the examination, shall be allowed an additional credit of five (5) points and

disabled veterans shall be allowed an additional ten (10) points, which shall be added to the percentages attained in the examinations by the veterans (Education Code Section 45296).

E. Notification of Test Result(s) or Rank Standing

Within 10 business days following the completion of any test part or examination, all competitors shall be notified of their test results. Within 10 business days following the establishment of an eligibility list, all eligible persons shall be notified of their rank standing. Notifications shall be sent by U.S. mail or where possible, electronic email.

8.07 Qualification Appraisal Interview (QAI)

- A. For classes of positions deemed by the Personnel Commission or by the Director to require a Qualifications Appraisal Interview (QAI), also known as oral board examination, its membership shall be comprised of at least two members. Where a structured objective oral examination is to be administered to the entire field of candidates in an entrance level classification, a single panel member may be utilized. For this purpose, a "structured objective examination" means that the panel member exercises no discretion in the selection of the questions or in the evaluation of the answers (Education Code Section 45273).
- B. Unless specifically directed to evaluate candidate's technical knowledge and skills, the oral examination shall be confined to evaluating general fitness for employment in the class. When the oral examination is directed to evaluate technical knowledge and skills, at least two panel members shall be technically qualified in the specified occupational area (Education Code Section 45273).
- C. Members of the Board of Education or the Personnel Commission shall not serve as a member to any oral examination board (Education Code Section 45273).
- D. An employee may serve as a member to an oral examination board, if he/she is not the immediate supervisor or involved in the selection process for the position opening in the class for which the examination is held. If the oral board examination is for a management, supervisory or executive secretarial (confidential) position, the branch assistant superintendent or immediate supervisor may not be a member of the oral examination board (Education Code Section 45273).
- E. The proceedings for any Qualifications Appraisal Interview (QAI) shall be electronically recorded as required by law (Education Code Section 45273).
- F. The member(s) of any oral board examination shall not be provided with the scores achieved by a candidate on other test parts or confidential references of County Office employees who are competing in promotional examinations (Education Code Section 45274).
- G. The membership and composition of any oral board examination for restricted positions shall be in compliance with appropriate regulations, rules and guidelines.

8.08 Bilingual Proficiency Tests

A. General Procedures

- 1. In accordance with Rule 6.06(A), County Office administration shall be responsible for determining when positions shall require bilingual proficiency in both English and in a specified language other than English.
- 2. When all positions within the same class or class series reside in the same department or program, the department management shall establish specific criteria stating the condition(s) by which positions within that class shall necessitate bilingual proficiency as authorized by Rule 6.06(B).
- 3. Any criteria established by the administration to designate positions as necessitating bilingual proficiency shall be reviewed by the Director to insure compliance with the Commission's rules and procedures. Criteria not in compliance shall be immediately brought to the attention of the Assistant Superintendent, Human Resources for correction. In prescribing the procedures in this rule, it is the intent of the Personnel Commission that their Director be consulted in the development and establishment of bilingual proficiency criteria.
- 4. If a request from the administration to designate a position or continue the designation of a position as requiring bilingual proficiency is challenged, the Director shall cause a proper investigation to be made and shall submit his/her findings and other pertinent data to the Assistant Superintendent, Human Resources. A copy of the Director's findings and supporting documents shall be provided to the Commission.

B. Proficiency Distinctions

1. Bilingual Proficiency Level I: requires demonstrated verbal skills that the employee has the ability to communicate in both English and another specified language other than English (including sign language) with minimal difficulty. An employee, who has been certified as bilingual proficiency level I, shall translate conversations in the provision of student instruction, educational services or other general information. A bilingual certified employee, working in a classroom setting, may also be the designated interpreter during instructional planning meetings or parent conferences.
2. Bilingual Proficiency Level II: In addition to the bilingual verbal skills described above, an employee who has been certified as bilingual proficiency level II, shall also read and write in both English and the same specified language other than English, with interrogations and in-depth conversation accomplished with minimal or without difficulty.

C. Eligibility Requirements

1. The position of an employee must be authorized by the appropriate department head and branch administrator to be eligible for bilingual proficiency compensation. Compensation for bilingual certification may be discontinued at the discretion of the department head.
2. An employee shall be eligible for bilingual compensation when such abilities are necessary to perform the responsibilities as determined by County Office.
3. A certified bilingual employee shall be eligible to receive bilingual compensation provided his/her position continues to require bilingual proficiency.
4. An employee may be compensated for bilingual proficiency compensation when serving in a non-permanent assignment upon authorization of the department head and assistant superintendent if such assignment requires bilingual proficiency.
5. When an excess of certified bilingual employees exist within a department office or program site, the appropriate management shall determine which employee(s) is to continue to receive bilingual compensation. The Director, at the request of the management, shall forward a list of employees who have been certified as bilingual in descending bilingual test score order.
6. An employee who occasionally communicates in another language other than English shall not be eligible to receive bilingual proficiency compensation. Employees who speak another language, in addition to English, shall be encouraged to perform occasional translation on a reasonable basis.

D. Examination and Testing

1. The Commission staff shall administer testing for bilingual proficiency compensation. The Director shall arrange for external testing resources, when necessary.
2. A person seeking bilingual certification shall be required to participate in the oral test part of the bilingual examination. The oral test shall evaluate his/her ability to listen, respond effectively and accurately translate the spoken information into the specified language other than English, in a clear, concise, and organized relevant manner. Appropriate voice projection and proper use of both English and the other specified language other than English shall also be evaluated. Bilingual level I certification shall require a score of at least seventy-five percent (75%).
3. In addition to the testing provisions described in Sub Rule D (2), above, a score of at least seventy-five percent (75%) shall be required for bilingual level II certification. Persons shall be evaluated on their ability to read in English and prepare written translations in the specified language other than English. Sentence structure, spelling, grammar and punctuation shall also be evaluated.

8.09 Employees Testing for Alternate Series Advancement

- A. Provisions prescribed in Rules 6.10-6.13 shall apply to employees seeking advancement to the next (higher) level in an alternate class series.
- B. An employee who has failed the written examination or practical exercise for series reassignment shall not be entitled to retake the same examination until at least 45 calendar days have elapsed for the first examination date. Following a second failure, the employee shall not be entitled to retake the same series examination until at least 90 calendar days from the date of the second failure.
- C. Procedures for the review of written examinations or practical exercises shall not apply to a series examination until an employee has failed the same series examination on three occasions. Following the third failure, no further examinations shall be administered until the employee, under direct observation of Commission staff and in the presence of his/her immediate supervisor, has reviewed his/her examination in accordance with Rule 8.13 following the examination review, the employee shall not be

entitled to retake the same series examination for a period of six (6) months after the review date or 90 calendar days if an alternate examination form is available.

- D. Procedures for the review of written examinations or practical exercises shall also be suspended for employees who qualify for series advancement.

8.10 Reexamination of Disqualified Persons or Repeating Competitors

- E. Under a continuous examination announcement, a disqualified competitor, who does not review his/her written examination, shall not be allowed to retake the same written examination until at least 30 calendar days have elapsed from the date of the original examination.
- F. Under a continuous examination announcement, a disqualified competitor, who reviews his/her written examination, shall not be reexamined until at least 60 calendar days have elapsed from the examination review date or as soon as administratively convenient, if another form of examination is available.
- G. Under a continuous examination announcement, a competitor who fails three (3) consecutive written examinations (for the same class) of the same or different form(s), shall not be allowed to apply that class until a period of at least six (6) months following the last examination date or last review date, whichever is longer.
- H. A disqualified competitor from a continuous examination that only consisted of an oral board examination (QAI) shall not be reexamined until at least 60 calendar days have elapsed from the date of the original QAI. A competitor who fails two (2) consecutive oral board examinations for the same class shall not be reexamined for a period of six months following the most recent oral examination date.
- I. Repeating competitors or eligible persons, from a continuous examination or continuous eligibility list, who wish to improve their standing on the eligibility list may reapply and reexamine following a six-month period.
- J. Examinations announced as open competitive, promotion competitive only or a combination, thereof, or dual certification shall be reopened when at the conclusion of the examination, an insufficient number of eligible persons have been placed on the resulting eligibility list. Those few eligible persons shall be notified of their rank and final scores pursuant to Rule 8.06(E). No eligible shall be allowed reexamination of any test part unless he/she: 1) did not review written examination results; 2) requests, in writing, to have his/her name removed from eligibility list, and 3) will be reexamined after 45 calendar days in each test part.
- K. Two or more part examinations announced as open competitive, promotion competitive or a combination, thereof, or dual certification shall be reopened, when at the conclusion of any test part, the competition has diminished. Those persons identified as the most qualified shall proceed to the next test part whenever there is sufficient competition.
- L. A disqualified competitor in the examinations, described in Rules E and F, above, shall not be reexamined with the same written test part unless at least 45 calendar days from the last examination date has elapsed, and disqualified competitor did not review his/her examination. If the competitor has reviewed his/her written test, he/she shall not be reexamined until at least 60 calendar days have elapsed from the date he/she reviewed the written test part. However, when more than one form of the written test is available, the disqualified competitor may be reexamined when administratively convenient.
- M. A competitor, who has failed a skill test administered on a pass/fail basis, may retest after an interval of seven (7) days, but with no more than a total of five (5) tests during any three-month period.
- N. The provisions of Sub Rule A and B, above, shall not apply when the contents of the oral panel interview, written examinations or practical exercises are significantly revised or when other examination forms are immediately available.
- O. The provisions of Sub Rules A-J, above, shall not apply to lower senior employees in a layoff who do not have bumping rights to positions in their same class or in prior held classes. Such employees shall be permitted to retake examinations other position openings for which they qualify in lateral (related) classes or in classes with lower maximum salary rates.

8.11 Service Credit

Pursuant to Rule 8.06(D) (2), service credit shall be added to the final passing scores of promotional candidates on the following basis:

1 year of service: 0.25 Points

2 years of service:	0.50 Points
3 years of service:	0.75 Points
4 years of service:	1.00 Points
5 years of service:	1.25 Points
6 years of service:	1.50 Points
7 years of service:	1.75 Points
8 years of service:	2.00 Points
9 years of service:	2.25 Points
10 years of service:	2.50 Points
11 years of service:	2.75 Points
12 years of service:	3.00 Points
13 years of service:	3.25 Points
14 years of service:	3.50 Points
15 years of service:	3.75 Points
16 years of service:	4.00 Points
17 years of service:	4.25 Points
18 years of service:	4.50 Points
19 years of service:	4.75 Points
20 years of service:	5.00 Points

Less than full-time assignments and less than 12 month positions shall be given full credit for the purpose of assigning service points.

8.12 Veteran's Credit

- A. A veteran, as used in this rule, means any person who has served in the United States armed forces in the time of war, or national emergency declared by the President of the United States, and who has been discharged or released under conditions other than dishonorable. A disabled veteran as used in this rule means any veteran, who is currently declared by the U.S. Veterans Administration to be ten-percent (10%) or more disabled as a result of service to the armed forces. Armed forces mean the United States Army, Navy, Marine Corps, Air Force, or Coast Guard (Education Code Section 45294).
- B. Upon attaining a passing score on all entrance examinations, veterans with thirty (30) days or more of service who have submitted proper documentation to the Director shall be given credit of five (5) points; disabled veterans shall be given credit of ten (10) points. The veteran applicant shall furnish proof of qualifying military service (i.e., DD214) no later than the date of examination or final test part. No adjustment of rank on the list shall be made when such proof is presented thereafter.

8.13 Review of Test Parts or Materials

A. Written Examinations

1. Under direct observation and supervision of a Commission staff member, a competitor may review the examination question booklet or practical exercise as well as inspect his/her answer sheet, provided the review of such material is not contrary to agreements made with the suppliers of test materials. The competitor may review any test items that he/she believes to be incorrectly stated, improperly keyed or to confirm his/her calculated score. A review of any written examination must be completed within five (5) working days from the mailing date of examination results.
2. The competitor shall be provided with a protest sheet and may protest any question, outlining the basis for the protest; however, he/she shall not be allowed to remove examination materials, copy test questions, change or mark his/her answer sheet or take notes of any kind.

3. Any protest shall be filed with the Director at the conclusion of the review session. The Director shall review and act upon all protests. The Director may allow more than one answer to a question or may disqualify a question if the protest is found to be valid.
4. The Director shall notify the protesting competitor of his/her decision. If the Director denies the protest, the competitor may appeal to the Personnel Commission in writing within ten (10) working days after the rejection; however, the appeal shall not delay other test parts of the examination process.
5. Any protest that results in a change shall require the test papers of all competitors will be reviewed and re-rated accordingly.

B. Qualifications Appraisal Interview (QAI)

1. If a competitor believes an error in the tabulating of his/her score has occurred or any illegal or unfair questions have been asked, an appeal may be submitted to the Director in writing no later than ten (10) days after establishment of the eligibility list.
2. The appeal shall specify the reasons or illegal procedure or unfair question(s) for requesting corrective action. The Director may prepare examination information using the QAI records and shall make this information available to the competitor and, with written consent of the competitor, to his/her employee unit representative.
3. Under no circumstances, shall individual panel member ratings be made known to the competitor.

C. Other Test Parts

1. Pursuant to Rule 7.06, any appeal filed by an applicant or competitor due to the disqualification or rejection of his/her employment application and/or evaluation of Training, Education and Experience Evaluation, shall be reviewed pursuant to Rule 7.07.
 2. Any appeal or protest for a practical exercise shall require the competitor to state specific reasons for requesting corrective action. The competitor shall provide pertinent and supporting evidence or information. The Director shall review the evidence provided and notify the competitor of his/her decision within five (5) working days. The final decision shall rest with the Director.
 3. This rule shall not apply to any test measuring skill (e.g., typing/keyboarding, shorthand, etc.).
- D. When the protesting competitor is a promotional candidate, in a non-continuous examination, the review and protest period shall be held prior to the appointment to any regular position opening (Education Code Section 45274).
- E. When the rankings of an established eligibility list are adjusted as a result of an appeal or protest, the adjustment shall not invalidate a certification or any appointment made prior to the ordered adjustment.