BACKGROUND: This Personnel Policy Bulletin describes procedures for protests and appeals regarding examinations. The first section deals with appeals to the University Personnel Director and the Vice Chancellor: section I(A) addresses procedures for reviewing and determining the appropriateness of actions or decisions regarding the administration of an examination, and section I(B) addresses appeals regarding substantive issues in the examination itself. Section II addresses appeals to the Civil Service Commission. Requests for an appeal of a decision made by the Vice Chancellor regarding a claim of error in an examination are made to the Commission. Personnel Officers shall inform all candidates who wish to request a review regarding an examination of the procedures outlined below.

I - PROTESTS AND APPEALS TO THE VICE CHANCELLOR

I(A) - Administrative Issues. A candidate who wishes to request a review of those examination administration actions or decisions which are subject to appeal in 8.2.1 must submit a request in writing to the University Personnel Director. The actions subject to review are:

- the scheduling of the examination,
- the terms of the notice of the examination,
- the conduct of the examination,
- provisions for makeup examinations,
- procedural disqualifications from taking examinations, and
- the deadlines for acceptance of applications for examinations.

A request for a review of the scheduling or the terms of the notice of an examination must be postmarked at least two weeks before the examination. A request for a review of the conduct of an examination must be postmarked within two weeks of the administration of an assembled examination or the closing date for an education and experience or other un assembled examination. A request for a review by the University Personnel Director from a candidate who receives a notice of disqualification for procedural reasons must be postmarked within two weeks of the date of disqualification; however no appeals are permitted on examination applications which are not accepted because they are late or incomplete.

The request should include a summary of the action taken and the candidate's reasons for requesting a review and, when appropriate, be accompanied by supporting documentation. A decision of the University Personnel Director may be appealed to the Vice Chancellor. The appeal to the Vice Chancellor must be made in
writing and postmarked within two weeks from the date of the notification of the University Personnel Director's decision. It must contain all such information necessary to support the appeal. The decision of the Vice Chancellor is final. If the University Personnel Director refers the initial appeal directly to the Vice Chancellor for a decision, no further appeal is permitted on these administrative matters.

I(B) - Examination Errors. A candidate in an examination may request a review of alleged substantive errors in the examination. Such errors include:

- a manifest, material error in the examination,
- a mistake in the rating key or in the noncompetitive evaluation key,
- a mistake in the application of the key to a candidate's test papers or other records of examination performance, including papers submitted for noncompetitive evaluation, or
- a mistake in determining eligibility to be examined or eligibility to be placed on a list based on the examination score or on minimum requirements.

A candidate who alleges an error in an examination under 3.1.2(c) prior to the establishment of a list shall communicate these allegations to the Vice Chancellor in writing. For an examination in which a candidate is given the opportunity to protest the examination at the time of the examination or in a protest review session, the protest must be submitted during the time period specified in the protest form. If there is no review session, for an examination for which the key answers are released publicly, the written allegation must be postmarked within two weeks of the publication of the key answers. For all exams, a candidate who wishes to protest his or her score must submit a protest postmarked within two weeks of the candidate's score notification. The allegation must contain all such information necessary to support the claim.

The allegation of an error shall open the candidate's entire examination for review. The review may result in a higher or lower rating. The candidate will be notified in writing of the Vice Chancellor's decision. For allegations of error related to an evaluation of a candidate's education and experience, the candidate may clarify information submitted in the original application; however, the candidate may not submit new information. The decision of the Vice Chancellor on these substantive issues may be appealed to the Civil Service Commission.

II - APPEALS TO THE CIVIL SERVICE COMMISSION

Requests for appeal of a decision made by the Vice Chancellor regarding an error in an examination must be submitted to the Civil Service Commission pursuant to Section III, Rule 3.1 of its Rules. This Rule currently requires that the Secretary to the Commission receive the appeal within thirty (30) days of the determination which is being appealed. The appeal shall consist of a short statement of the determination complained of with such evidence as the appellant wishes the Commission to consider and a statement of the relief sought.
PERSONNEL POLICY BULLETIN NO.: 7/89 DATE: 5/12/89

REGULATION REFERENCE NO.: 8.2.1, 8.2.2, 3.1.2(c).

INDEX REFERENCE: APPEALS AND/OR PROTESTS REGARDING EXAMINATIONS

BACKGROUND: This Personnel Policy Bulletin describes procedures for protests and appeals regarding examinations. The first section deals with appeals to the University Personnel Director and the Vice Chancellor: section IA addresses procedures for reviewing and determining the appropriateness of actions or decisions regarding the administration of examinations, and section IB addresses appeals regarding substantive issues in the examination itself. Claims of errors in an examination made prior to the establishment of a civil service list are submitted to the Vice Chancellor. Section II addresses appeals to the Civil Service Commission. Claims of error in an examination made after the establishment of a list, and requests for an appeal of the Vice Chancellor's decision regarding such errors are made to the Commission. Personnel Officers shall inform all candidates who wish to request a review regarding examinations of the procedures outlined below.

I - PROTESTS AND APPEALS TO THE VICE CHANCELLOR

IA - Administrative Issues. A candidate who wishes to request a review of those examination administration actions or decisions which are subject to appeal in 8.2.1 must submit a request in writing to the University Personnel Director. The actions subject to review are:

- the scheduling of the examination,
- the terms of the notice of the examination,
- the conduct of the examination,
- provisions for make-up examinations,
- procedural disqualifications from taking examinations, and
- the deadlines for acceptance of applications for examinations.

The request for a review must be postmarked within 30 calendar days of an assembled examination, or within 30 calendar days of the closing date for an education and experience or other unassembled examination. In addition, a request for a review by the University Personnel Director from a candidate who receives a notice of disqualification must be postmarked within two weeks of the date of disqualification. All requests for a review should include a summary of the action taken and the candidate's reasons for requesting a review and, when appropriate, be accompanied by supporting documentation.

A decision of the University Personnel Director may be appealed to...
the Vice Chancellor. The appeal to the Vice Chancellor must be made in writing and postmarked within two weeks from the date of the notification of the University Personnel Director’s decision. It must contain all such information as is necessary to support the appeal. The decision of the Vice Chancellor is final. If the University Personnel Director refers the initial appeal directly to the Vice Chancellor for a decision, no further appeal is permitted on these administrative matters.

IB - Examination Errors. A candidate in an examination may request a review of alleged errors in the examination. Such errors include:

- a manifest, material error in the examination,
- a mistake in the rating key or in the non-competitive evaluation key,
- a mistake in the application of the key to a candidate’s test papers or other records of examination performance, including papers submitted for non-competitive evaluation, or
- a mistake in determining eligibility to be examined or eligibility to be placed on a list based on the examination score or on minimum requirements.

A candidate who alleges an error in an examination under 3.1.2(c) prior to the establishment of a list shall communicate these allegations to the Vice Chancellor in writing. For a multiple choice examination, the written allegation must be submitted at the time of the scheduled post-exam review session or postmarked within two weeks of the publication of the key answers. In the case of an education and experience or other unassembled exam, it must be postmarked within two weeks of the notice of the candidate’s exam score. The allegation shall contain all such information as is necessary to support the claim.

The allegation of an error shall open the candidate’s entire examination for review. The review may result in a higher or lower rating. The candidate will be notified in writing of the Vice Chancellor’s decision. In regards to allegations of error related to examinations that consist of an evaluation of a candidate’s education and experience, the candidate may clarify information submitted in the original application; however the candidate may not submit new information. The decision of the Vice Chancellor on these substantive issues may be appealed to the Civil Service Commission.

II - APPEALS TO THE CIVIL SERVICE COMMISSION

Allegations of error in an examination made after the establishment of a list and requests for appeals of the Vice Chancellor’s decision regarding such errors must be submitted to the Civil Service Commission. The allegation or request for appeal must be made in writing and must be postmarked within two weeks of the date of the
notification of the examination results. It must contain all such information as is necessary to support the claim.

The Civil Service Commission shall appoint an individual or a committee of individuals to review all allegations of error. The individual or committee of individuals may call on an expert in the subject matter related to the claim and shall inquire into the merits of each claim. The allegation of an error shall open the candidate's entire examination for review. The review may result in a higher or lower rating. Following the review, the individual or committee of individuals shall make a recommendation to the Civil Service Commission. The decision of the Civil Service Commission is final.