

PERSONNEL COMMISSION

SANTA MONICA COLLEGE

MERIT RULES

CHAPTER V

Presented to the Personnel Commission for First Reading on August 21, 1991.

Approved by the Personnel Commission on October 9, 1991.

Rule Revisions 5.2.15, 5.2.16, 5.2.18, 5.2.19 Approved by the Personnel Commission on March 18, 2015.

Rule Revisions 5.1.1, 5.2.2, 5.2.3, 5.2.5, 5.2.6, 5.2.11, 5.2.13 Approved by the Personnel Commission on July 15, 2015.

Rule Revision 5.2.10 Approved by the Personnel Commission on August 19, 2015

Rule Revisions 5.2.15, 5.2.16 Approved by the Personnel Commission on November 15, 2017.

Rule Revision 5.2.16 Approved by the Personnel Commission on September 20, 2023.

CHAPTER V -- RECRUITMENT AND EXAMINATIONS

Rule 5.1 RECRUITMENT

Section 5.1.1 Announcement of Examinations

Rule 5.2 EXAMINATIONS

Section 5.2.1 Determination of Examinations
5.2.2 Promotional Examinations
5.2.3 Open Competitive and Promotional Examinations with
the Promotional List Taking Precedence
5.2.4 Dual Certification-Merged List
5.2.5 Open Competitive Examinations
5.2.6 Continuous Examinations
5.2.7 Types of Examinations
5.2.8 Written Examinations
5.2.9 Evaluation of Training and Experience
5.2.10 Oral Interview Panel Examinations
5.2.11 References of Employment Candidates
5.2.12 Admittance to Examination
5.2.13 Special Administration of Examinations
5.2.14 Test Administration Procedures
5.2.15 Review of Examination Records
5.2.16 Protest and Appeal of Examinations
5.2.17 Notice of Examination Results
5.2.18 Longevity Preference Credit
5.2.19 Veteran's Preference
5.2.20 Retention of Examination Records
5.2.21 Review of Eligibility List

CHAPTER V

RECRUITMENT AND EXAMINATIONS (EDUCATION CODE SECTION 88097)

Rule 5.1

RECRUITMENT

It is the policy of the Personnel Commission to afford all qualified candidates an opportunity to apply for positions in the classified service. Examinations shall be conducted fairly and impartially to afford all candidates the opportunity to demonstrate the skills, knowledge, abilities, and personal characteristics required to qualify for the class.

5.1.1

ANNOUNCEMENT OF EXAMINATIONS

- A. The Personnel commission shall approve the holding of examinations for the purpose to either fill vacancies or create lists for the classified service.
- B. No examination announcement may be made, and no part of any examination may be held, until the Governing Board has properly designated the duties of a new class, and the Personnel Commission has approved the classification, including the establishment of minimum education and work experience requirements.
- C. Each examination shall be announced on a job announcement bulletin which shall be distributed to employee work sites and recruitment locations. The recruitment period shall be at least 15 working days. The Director of Classified Personnel shall:
 - 1. prepare and place advertisements in the appropriate media
 - 2. ensure distribution includes sites easily accessible by the general public and all protected groups in accordance with all federal, state, and local laws.

- D. The job announcement bulletin shall contain the following:
1. Information concerning the location of employment, expected number of vacancies, length of the probationary period, and other conditions of employment.
 2. Examples of the scope of duties and responsibilities of the position and the class.
 3. The minimum qualifications and requirements of the class.
 4. The salary, benefits and other compensation.
 5. The closing date for filing applications.
 6. The general content of the examination and the types of tests that may be given.
 7. Such other information as will assist the employees and public in fully understanding the nature of employment and procedures necessary to participate in the examination.

Rule 5.2

EXAMINATIONS (EDUCATION CODE SECTION 88092)

5.2.1

DETERMINATION OF EXAMINATIONS

- A. The Personnel Commission shall determine the standards of proficiency to be required for each examination, and shall determine whether the examination shall be
1. promotional only;
 2. promotional and open-competitive with the promotional list taking precedence;
 3. promotional and open-competitive with a merged list (dual certification);
 4. open-competitive only.

5.2.2 PROMOTIONAL EXAMINATIONS
(EDUCATION SECTIONS 88100, 88091, 88096)

- A. In determining whether employment opportunities are to be limited to promotional applicants, factors to be considered include:
 - a. The number of qualified promotional candidates available to compete for the class;
 - b. Efforts to seek and employ members of underrepresented groups as identified according to the District's Equal Employment Opportunity Plan.
- B. Promotional examinations shall be restricted to regular employees of the District who meet the prescribed qualifications of the class. Probationary employees in the District may not compete in promotional examinations.
- C. A probationary or permanent classified employee may request to be notified of examinations which occur during recess periods or during a paid or unpaid leave of absence by filing a written or electronic request with the Personnel Commission Office. The notice shall be sent to the address listed by the employee on the written or electronic request.
- D. Promotional eligibles who successfully complete all parts of the examination shall receive longevity preference credit, as referenced in Rule 5.2.17 (Longevity Preference Credit).

5.2.3 OPEN COMPETITIVE AND PROMOTIONAL EXAMINATIONS WITH THE PROMOTIONAL LIST TAKING PRECEDENCE

- A. When an adequate field of promotional applicants does not exist or there is doubt as to its adequacy, the Director of Classified Personnel may advertise the examination among employees and the general public.
- B. Promotional eligibles who successfully complete all parts of the examination shall receive longevity preference credit as referenced in Rule 5.2.17 (Longevity Preference Credit).
- B. The examination procedure shall result in a separate promotional and open competitive eligibility list. The promotional eligibility list shall take precedence.

Rev. approved by Personnel Commission 7/15/15

5.2.4 DUAL CERTIFICATION-MERGED LIST (EDUCATION CODE SECTION 88103)

- A. Upon the recommendation of the Director of Classified Personnel, the Personnel Commission may authorize the holding of an examination under dual certification. When authorized, the resulting eligibility list shall consist of promotional and open competitive eligibles in one merged list.
- B. Promotional eligibles who successfully complete all parts of the examination shall receive longevity preference credit.

5.2.5 OPEN COMPETITIVE EXAMINATIONS (EDUCATION CODE SECTION 88115)

- A. Open competitive examinations shall be held for all entry level classes and veterans' preference points shall be allowed as specified in Rule 5.2.18. These examinations shall be open to all qualified applicants.
- B. Longevity preference credit shall not be granted.

Rev. approved by Personnel Commission 7/15/15

5.2.6 CONTINUOUS EXAMINATIONS
(EDUCATION CODE SECTION 88111)

- A. The Personnel Commission may designate examinations for specified classes which cannot practicably be filled by promotional examinations only, as continuous examinations. Applications shall be accepted as long as the recruitment remains open.
- B. If a general qualifications oral interview is required, the interview panel shall consist of at least two (2) persons. Raters may be employees of the District or the Personnel Commission.
- C. Procedures for review of the examination by the candidate shall be suspended.
- D. Test retaking can be limited as specified by the Personnel Commission job bulletin.

Rev. approved by Personnel Commission 7/15/15

5.2.7 TYPES OF EXAMINATIONS (EDUCATION CODE SECTION 88092)

- A. Examinations shall be administered objectively and shall consist of test parts that relate to job performance. The parts may be any of the following:
1. Evaluation of applicants' training and experience as submitted on application materials.
 2. Written examination.
 3. Practical demonstration of skill.
 4. Evaluation of applicants' training, and experience by an independent committee.
 5. Oral evaluation of technical training, education and experience by a technical qualifications panel.
 6. Oral evaluation of training, experience and general fitness by a qualified appraisal interview panel.
 7. Other tests of fitness as determined by the Personnel Commission.

5.2.8 WRITTEN EXAMINATIONS

- A. The written examination for a class may cover any subject matter appropriate to the duties of positions within the class including testing of skills, knowledge and abilities.
- B. All examination parts shall be prepared under the supervision of the Director of Classified Personnel who shall determine passing scores and assign relative percentage weights to each test part.

5.2.9 EVALUATION OF TRAINING AND EXPERIENCE

- A. If the evaluation is structured so that minimum judgment is exercised, such as the review of minimum requirements, one evaluator may be used.
- B. If the examination includes a scored evaluation of the applicants' training and experience, based solely on application materials, the evaluation shall be individually and independently conducted by at least two members of a committee other than the oral interview panel.

5.2.10 ORAL INTERVIEW PANEL EXAMINATIONS (EDUCATION CODE SECTION 88092)

- A. If an examination requires the use of one or more oral interview panels, the Director of Classified Personnel shall assure that the following procedures are carried out, in order to avoid impropriety or the appearance of impropriety:
 - 1. All panels shall consist of at least two persons free of partiality and conflict of interest regarding any candidate in the oral interview. All oral panel members shall certify, in writing, that they have no partiality or conflict of interest.
 - 2. In the event an oral panel member indicates a partiality or conflict of interest, he/she shall be disqualified from rating that candidate and a substitute rater may be provided.
 - 3. Unless specifically directed to evaluate candidates' technical knowledge and skills, the oral interview panel shall confine itself to evaluating general fitness for employment in the class.
 - 4. When the oral panel is directed to evaluate technical knowledge and skills, at least two members of the panel shall, as determined by the Director of Classified Personnel, be technically qualified in the specified occupational areas under examination.
 - 5. Members of the Governing Board or Personnel Commission shall not serve on an oral examination board.

6. A supervisor at the first or second level over a vacant position or a participant in the final selection shall not serve on an oral interview panel. For purposes of the rule, a supervisor shall be defined as a person having substantial responsibility for selection and evaluation of employees in that position.
- B. Interviews shall be recorded and filed in the Personnel Commission Office and the recording shall be available for review by candidates as provided in Rule 5.2.19.
- C. Scores achieved by the candidate on other parts of the examination shall not be made available to the oral interview panel.

Rev. approved by Personnel Commission 8/19/15

5.2.11

REFERENCES OF EMPLOYMENT FOR CANDIDATES

- A. Under no circumstances shall confidential references on employees be used in the selection process.

Rev. approved by Personnel Commission 7/15/15

5.2.12 ADMITTANCE TO EXAMINATION

- A. Each applicant whose application has been approved shall be notified a reasonable time in advance of the time, date, and place of the test. Such notice shall be the applicant's authorization to take the examination. No candidate may be admitted to any examination without this authorization and acceptable picture (or other) identification.

5.2.13 SPECIAL ADMINISTRATION OF EXAMINATIONS

- A. Special arrangements for test administration of a written test may be made under the following circumstances:
 - 1. Where the test candidate is unable to attend the test administration on the prescribed date and time due to illness, accident or hospitalization, a verified statement from a physician, or other appropriate documentation (such as a police report for an auto accident) shall be submitted to the Personnel Commission Office within five (5) days after the date of the test.
 - 2. Where the test candidate is unable to attend the test administration on the prescribed date and time due to jury duty or other court attendance, a statement from the court verifying attendance shall be submitted to the Personnel Commission Office within five (5) days after the date of the test.
 - 3. Where the test candidate is unable to attend the test administration on the prescribed date and time because of his/her religious beliefs; a request from the candidate shall be submitted to the Personnel Commission Office within five (5) days after the date of the test.

Section 5.2.13.A.4

4. Where the test candidate was precluded from attending the test administration on the prescribed date and time because of a miscalculation of invitation, acceptable verification of miscalculation must be submitted to the Personnel Commission Office within five (5) days after the date of the test; test candidates are required to notify the Personnel Commission Office of any change in address and any failure to do so which results in late delivery shall not be accepted as sufficient reason to grant a special test administration.
 5. Where a promotional test candidate is unable to attend the test administration on the prescribed date and time due to District approved attendance at an all-day, off campus workshop or seminar, the test candidate shall submit verification from his/her supervisor to the Personnel Commission within five (5) days after the date of the test.
 6. Where the test candidate, through no fault of his/her own, is precluded from attending the test administration on the prescribed date and time because of a verifiable error by a member of the Personnel Commission staff, reasonable evidence must be presented to the Personnel Commission within five (5) days after test administration to verify that an official application was filed in the Personnel Commission Office by the test candidate.
- B. The test candidate shall make a written request for special test administration as early as possible, but no later than five (5) working days after the regular test administration date, stating their reason(s) for which the special administration is requested.

- C. Because of practical difficulties in obtaining oral and performance test rating panels and ensuring consistent administration and evaluation, special test administration cannot be guaranteed.

Rev. approved by Personnel Commission 7/15/15

5.2.14 TEST ADMINISTRATION PROCEDURES

- A. Competitors in any written test must take the test on the prescribed date except as provided in Rule 5.2.13.
- B. Copies of the questions in a test shall not be made by competitors or other unauthorized persons.
- C. Written tests shall be administered in such a way that none of the test papers will disclose the name of any competitor until all papers of all competitors in the examination have been scored and rated.
- D. No competitor in any examination shall place any identifying mark on his/her test papers, except the identifying mark prescribed at the time of examinations. Placing an identifying mark or attempting to disclose to others the identity of his/her paper prior to the completion of the examination may be grounds for disqualification.

5.2.15

REVIEW OF EXAMINATION RECORDS

- A. Candidates may review their own examination results. Notification of examination results shall inform the candidate of the five (5) working day period during which appointments for reviews may be scheduled. A qualified representative of the Personnel Commission staff shall explain examination scores and evaluations to the candidate during the examination review session. At no time will a candidate be allowed to review actual test content, or the records of another candidate. Candidates will not be allowed to copy or remove from the review room any questions or answers.
- B. Upon completion of the examination process, the final ranking of eligibles on the list shall be open to all competitors for review.
- C. Eligibility lists shall be considered confidential information. In order to protect the privacy of the competitors, eligibles shall be listed by identification numbers only. The information available for review from the eligibility lists shall be limited to rank, identification number, and expiration date of the eligibles.
- D. This list of eligibles shall be open for review for the duration of the list.

5.2.16

PROTEST AND APPEAL OF EXAMINATIONS

- A. Protests of individual written exam questions must be filed on the day the test is administered, before the candidate leaves the testing site or if the test is done online, before exiting the program. Protest forms shall be made available to candidates to complete at the testing site or incorporated into the online test.

- B. Candidates may protest the outcome of any test part to the Director of the Personnel Commission within five (5) working days from the date the notice of the test results is issued to the candidates by submitting a written request on a standard form, outlining the basis for the protest.
- C. The Director of the Personnel Commission shall review all protests and take action to correct any errors. They may allow more than one answer to a question or may disqualify a question, if they find the protest valid. If a protest results in any change, the scores of all candidates will be reviewed and re-rated accordingly. Each candidate who files a protest shall receive a written response.
- D. The purpose of the protest procedure is to assure accurate assessment systems, and a protest shall not be granted merely because a candidate disagrees with an answer or score.
- E. Protests shall be based solely on one of more of the following, and must include supporting rationale:
 - 1. Discrimination or bias
 - 2. Procedural error
 - 3. Content error
- F. If the Director of the Personnel Commission rules against the protest, the candidate may appeal that decision to the Personnel Commission, in writing, within five (5) working days from the date on which the Director's response was issued. However, the filing of such an appeal will not stop or otherwise delay the examination and selection process unless so ordered by the Personnel Commission. The decision of the Personnel Commission shall be final.
- G. Failure to review, protest, or appeal within the times specified shall constitute waiver of the right to protest or appeal that part of the selection process.
- H. If changes are made which impact a candidate's score or ranking after an eligibility list is produced, all impacted candidates shall be notified.

5.2.17

NOTICE OF EXAMINATION RESULTS

- A. Notification of test results shall be provided to candidates as soon as practicable following administration of the test.
- B. The notice shall include the following:
 - 1. Each candidate's individual examination results.
 - 2. The time period for review per Rule 5.2.15.
 - 3. Final ranking, once all test parts are completed.
 - 4. The opportunity to review the eligibility list, per Rule 5.2.20.

5.2.18

LONGEVITY PREFERENCE CREDIT

- A. Longevity preference credit shall be added only to the final passing scores of candidates who have permanency with the District, including candidates who are on a valid reemployment list.
- B. The following is the schedule of longevity preference credits allowed on a candidate's final score:

<u>YEARS OF SERVICE</u>	<u>POINTS</u>
1 to 2	1.0
2 to 3	1.5
3 to 4	2.0
4 to 5	2.5
5 to 6	3.0
6 to 7	3.5
7 to 8	4.0
8 to 9	4.5
9 to 10	5.0

- C. For purposes of this rule, regular employees serving in permanent positions which are less than 12 months shall be credited on a full-year basis.
- D. Longevity preference credit will be awarded on eligibility lists as follows:
 - 1. promotional list;
 - 2. merged list

Longevity preference credit will not be awarded on open competitive eligibility lists.

Section 5.2.19

5.2.19

VETERAN'S PREFERENCE

(EDUCATION CODE SECTIONS 88113, 88114, 88115)

- A. A veteran, as defined in this rule, shall mean an individual who has been discharged or released under conditions other than dishonorable and has served at least 30 days of active duty in the Army, Navy, Marine Corps, Coast Guard, or Air Force between the dates listed below:

World War II -- December 7, 1941, to December 31, 1946

Korea -- June 27, 1950, to January 31, 1955

Vietnam -- August 4, 1964, to May 7, 1975

Gulf conflict -- January 14, 1991 to February 27, 1991

(This is the actual war period. Additional coverage may be granted subject to future verification from Veteran's Administration)

- B. Veterans, except disabled veterans, shall be allowed an additional credit of five (5) points to their composite score in entry-level examinations, only if they receive an overall passing score.
- C. Disabled veterans shall be allowed an additional credit of ten (10) points to their composite score in entry-level examinations.
1. Disabled veteran is defined to mean an individual who is currently declared by the United States Veteran's Administration to be 10 percent or more disabled as a result of service in the armed forces.
- D. Veteran preference points shall not be added to composite scores until the applicant receives an overall passing score.

Section 5.2.20

5.2.20

RETENTION OF EXAMINATION RECORDS
(EDUCATION CODE SECTION 88093)

- A. Examination records, including test answer sheets, and the rating sheets of each member of an oral interview panel shall be retained for a period of two (2) years; tape recordings of interviews shall be retained for ninety (90) calendar days.
- B. Examination records shall be confidential. Records, such as standardized test questions, identifiable ratings of oral panel members, and confidential references of previous employers, shall not be available for review.
- C. Remaining examination records, such as scores, test answer sheets, and the oral interview recording of the candidate or eligible shall be available for review only by the candidate or eligible and his/her representative. The candidate or eligible or his/her representative may not review the examination records of another person.

Rev. approved by Personnel Commission 5/18/15

5.2.21

REVIEW OF ELIGIBILITY LIST

- A. Upon completion of the examination process, the final ranking of eligibles on the list shall be open to all competitors for review.
- B. Eligibility lists shall be considered confidential information. In order to protect the privacy of the competitors, eligibles shall be listed by identification numbers only. The information available for review shall be limited to the rank, identification number and expiration date of the eligibles.
- C. This list of eligibles shall be open for review for the duration of this list.