

**PUBLIC HEARING TO HEAR AND VOTE UPON THE PROTEST OF (2) TWO QUESTIONS ON THE FIRE CAPTAIN WRITTEN EXAMINATION FILED BY ONE (1) CANDIDATE IN ACCORDANCE WITH RULE VI, SECTION 5(f) OF THE CIVIL SERVICE RULES AND REGULATIONS FOR POLICE AND FIRE EMPLOYEES**

**RECOMMENDATION**

It is recommended that the Commission grant the protest of Question 89 and amend the answer key to reflect the recommendation of the consultant.

It is further recommended that the Commission deny the protest of Question 98, per the recommendation of staff and the consultant.

**DISCUSSION**

Donnoe & Associates, Inc., was retained through the Request for Quote (RFQ) process to prepare and conduct the promotional examination for Fire Captain. Donnoe & Associates have completed over 3,000 major exam projects for public agencies. The company specializes in preparing written tests, assessment centers, oral exams, practical/performance exams and program evaluations, primarily for police and fire departments. Over the past 16 years, Donnoe & Associates have provided the City of Stockton written tests for Fire Telecommunicator, Firefighter Paramedic, Evidence Technician and Police Records Clerk to name a few; and have developed assessment center examinations for Fire Battalion Chief, Fire Engineer, and Police Captain. The President and test consultant for this recruitment, William E. Donnoe, holds a doctorate in Organization and Leadership and is a licensed industrial psychologist.

The multiple choice written examination prepared by Donnoe & Associates for the promotional position of Fire Captain was held on March 17, 2015. A total of 72 candidates were invited to the examination. 54 candidates participated in the Fire Captain written examination and 39 candidates received a passing score. These 39 candidates are invited to participate in the oral examination, called the "assessment center," scheduled for the week of May 18, 2015.

Following the written examination, during the protest period, the Human Resources Department received a protest (Attachment A) from Robert Newman in accordance with Rule VI, section 5(d):

<u>Candidate</u>	<u>Questions Protested</u>
Robert Newman	89 & 98

Originally, Mr. Newman stated on his Request for Appeal/Public Hearing form that he was protesting three questions. However, when he submitted his Exception to Examination Item forms, he only submitted protests for two questions – numbers 89 and 98 (Attachment A).

Once the Human Resources Department received the protest documents, staff submitted them to the consultant (Donnoe & Associates) for evaluation and recommendation, and a copy (Attachment B) of the response has been included for your information and review.

In addition, a review was made of the questions under protest. The chart below shows the numbers of candidates taking the test and their results on these two questions.

**FIRE CAPTAIN WRITTEN EXAMINATION**  
**March 17, 2015**

<b>Total Number of Candidates taking Written Examination</b>	<b>Question No.</b>	<b>Number of Candidates Answering Correctly</b>	<b>Number of Candidates Answering Incorrectly</b>
54	89	47 (87.04%)	7 (12.96%)
54	98	47 (87.04%)	7 (12.96%)

As shown in the chart above, of the 54 candidates responding to Question 89, 47 (87.04%) answered the question correctly, leaving 7 (12.96%) answering the question incorrectly. As a result of the protest, the test consultant has recommended that other responses be allowed as correct answers for this question. Allowing other responses to the question will result in all 54 candidates (100%) answering correctly to Question 89. The question and an excerpt from the reference text are included as Attachment C.

If the Commission grants the protest for Question 89, 7 candidates will have a 1% increase in their scores for the written examination. Of the 7 affected, 3 candidates were already passing the written test and 4 had failing scores. Increasing the scores of the 7 candidates does not affect the overall number of passing candidates. The 4 candidates with failing scores, even after the adjustment to Question 89, will still have overall failing scores. It is recommended that the Commission grant the protest of Question 89 and re-key the answer per the recommendation of the consultant.

Regarding Question 98, staff agrees with the consultant's recommendation to deny the protest because the question accurately reflects information in the reference text. A copy of the question and an excerpt from the text are attached (Attachment D).

Of the 54 candidates responding to Question 98, 47 (87.04%) answered the question correctly, leaving 7 (12.96%) answering the question incorrectly. Of the 7 candidates who missed Question 98, 5 had overall passing scores, and 2 had overall failing scores. Staff and the consultant both recommend the Commission deny the protest of this question.

The chart below shows the number of candidates affected by each protest:

<b>Question</b>	<b>Candidates with incorrect answers</b>	<b>No. of Passing Candidates who Missed Question</b>	<b>No. of Failing Candidates who Missed Question</b>	<b>No. of Candidates who Move from Failing to Passing if Both Protests are Granted</b>
89	7	3	4	0
98	7	5	2	0

If the Commission approves both the protest to Question 89 and Question 98, 13 scores will be revised. Only one individual missed both Question 89 and Question 98, and his score will increase by 2%. The other 12 scores will be increased by 1%. In no case will this adjustment affect the overall number of passing scores. No candidate will move from failing to passing the written examination because of the adjustments. All candidates impacted by the any approved changes will receive an electronic notification with details regarding their scores, and a new posting list will be published as soon as possible.

#### AUTHORITY

Rule VI, section 5 (f) of the Civil Service Rules and Regulations for Police and Fire Employees, states that the Civil Service Commission shall schedule a public hearing to hear and vote upon the protests.