
Chapter 4

Application for Employment

4.1 APPLICATION AND EXAMINATION

4.1.1 **FILING OF APPLICATIONS:** All applications for employment shall be made on the official forms furnished by the Commission. Every item shall be answered in full and the application shall be signed by the applicant and filed in the Personnel Commission Office on or before the time and date specified in the official vacancy notice.

4.1.1.1 Applicants taking more than one examination must file a separate and complete application for each examination unless otherwise directed.

4.1.1.2 For affirmative action, federal/state reporting purposes and statistical purposes, questions regarding ethnicity, sex, age, and disability shall be presented on a separate form. Answers to such questions shall be voluntary, and no other information shall be requested relative to race, color, age, gender, ancestry, religion, national origin, medical condition, marital status, veteran status, sexual orientation or any other characteristic protected by state or federal law. Questions regarding an applicant's ability to do the job may be asked.

4.1.1.3 The application form shall require that each applicant indicate whether or not he/she has been convicted of a crime. If an applicant states that he/she has been convicted of a crime, then such applicant shall be required to provide the Commission office with detailed information pertaining to all convictions on a separate form. An applicant may be disqualified based on a conviction as set forth in Rule 4.2.1.

4.1.1.4 Applications and examination papers are confidential and become the property of the Personnel Commission, and shall not be returned to the applicant.

REFERENCE: Education Code Sections 45260 and 45272

4.1.2 **GENERAL QUALIFICATIONS OF APPLICANTS:** Applicants must be citizens of the United States or be authorized legal aliens in accordance

with specifications of the Immigration and Naturalization Service which allows them to provide service to a public agency. Applicants must possess all requirements that may be specified in the minimum qualifications established for the class. Applicants must be in all respects mentally and physically competent to perform the duties of the position for which they apply except as specified in Restricted positions. An applicant may be required to take a physical or mental examination prior to employment. When a physical, psychiatric, or psychological examination is required, it shall be taken under the auspices of the Board of Education, at such time as the District shall designate.

4.1.2.1 Every qualified applicant shall have an opportunity to seek, obtain, and hold permanent employment without discrimination because of race, religious creed, color, national origin, ancestry, disability, medical condition (as defined in Government Code Section 12926), employee organization membership or non membership and legal activities related thereto, marital status, veteran status, gender, age, or sexual orientation.

4.1.2.2 No maximum age limit shall be set as a condition for initial or continued employment in the District.

4.1.2.3 Disabled persons shall be given equal employment opportunity.

REFERENCE:

1. Education Code Sections 45111, 45134, 45260, 45272
2. Government Code Sections 12921, 12926 and 12940

4.1.3 EDUCATION SUBSTITUTION AND ACCEPTANCE: Where college training is required, credit will be given only for work completed in accredited colleges and universities.

4.1.3.1 Credits from a non-accredited institution shall be accepted only if such credits are acceptable to an accredited college or university.

4.1.3.4 Education beyond high school will be prorated twenty-four (24) semester units or thirty-six (36) quarter units considered equal to one (1) year of experience or one (1) year of school. Credits in excess of the equivalent of two (2) years, in order to be credited, must be in upper division work.

4.1.3.5 College training shall substitute for experience in those circumstances in which it is possible to establish a direct relationship between such training and duties of the class.

4.1.3.6 Specific course work and units within a class will not be eligible for substitution.

4.1.4 EXPERIENCE SUBSTITUTION AND ACCEPTANCE Appropriate experience will substitute for formal college training in examinations in which it is possible to establish a direct relationship between such experience and the duties of the class.

4.1.4.1 Where journey level status is required, completion of apprenticeships, possession of a journey license, or salaries at a journey level will be acceptable evidence of such status if the applicant's work record indicates an appropriate number of years of experience in the field.

4.1.4.2 In evaluating applications for examination, total qualifying experience will be rounded to the nearest full month.

4.1.4.3 In interpreting qualifications of promotional candidates, time spent in military service (active) shall be evaluated either as experience in the class from which the candidate left to go into military service or as experience in the service classification, whichever shall be to the candidate's advantage.

4.1.4.4 Credit will not be given for experience obtained while working overtime, out-of-class (in a non-compensation status), in relief of a supervisor or while working on a part-time job in addition to a regular full-time job which also provides qualifying experience.

4.1.4.5 When qualifying experience is only part of an applicant's total responsibility on a job, credit will be given only for such portion of time actually involved in the qualifying work.

4.1.4.6 Experience requirement shall normally be stated in terms of full-time work.

4.1.4.7 Unpaid volunteer experience may be accepted provided it is equivalent to the required experience and, upon request by the Commission staff, the applicant provides verification from the volunteer agency specifying the period of service, amount of time worked during this period and the duties and responsibilities performed by the volunteer.

4.1.4.8 Part-time volunteer or paid experience will be credited only in proportion to the hours worked as they equate to a normal full-time

week.

REFERENCE: Education Code Sections 45260, 45261, and 45272

4.2 **DISQUALIFICATION OF APPLICANTS AND CANDIDATES:**

4.2.1 CAUSES FOR DISQUALIFICATION: An applicant may be refused initial admittance to an examination and a candidate may be disqualified from further competition for any of the following reasons:

4.2.1.1 Failure to meet the general qualifications of Rule 4.1.2.

4.2.1.2 Advocacy of the overthrow of the Government of the United States or the State of California by force, violence, or other unlawful means.

4.2.1.3 Conviction, either by a plea or verdict of guilty or nolo contendere, a court decision of a sex or narcotics offense as defined in Education Code Sections 44010 or 44011.

4.2.1.4 Conviction of a controlled substance offense. The governing board of a school district may employ a person convicted of a controlled substance offense if the governing board determines, from the evidence presented, that the person has been rehabilitated for at least five years. The governing board shall determine the type and manner of presentation of the evidence, and the determination of the governing board as to whether or not the person has been rehabilitated is final.

4.2.1.5 Any conviction, other than a sex or narcotics conviction as defined in Education Code Sections 44010 and 44011, may disqualify an applicant if the criminal conviction(s) is sufficiently serious to require disqualification from employment. The following factors shall be considered in determining whether an applicant's criminal conviction(s) shall disqualify the applicant:

4.2.1.5.1 Nature, seriousness, and circumstances of the offense(s)

4.2.1.5.2 Recency of the conviction

4.2.1.5.3 Number of convictions

4.2.1.5.4 Relationship of the offense(s) to the position for which applicant has applied

4.2.1.5.5 Age of applicant when convicted

- 4.2.1.6 A determination that the applicant is a sexual psychopath.
- 4.2.1.7 Making a false statement or intentionally omitting a significant statement of a material fact requested on the application form.
- 4.2.1.8 Practicing any deception or fraud in connection with an examination or to secure employment.
- 4.2.1.9 Obtaining or attempting to obtain either directly or indirectly, privileged information regarding test questions or examination content.
- 4.2.1.10 Dismissal from previous employment for cause if the cause would have subjected the applicant to dismissal by the District under these Rules.
- 4.2.1.11 Previous dismissal from the District.
- 4.2.1.12 A record of unsatisfactory service within the District as evidenced by a disciplinary action, a work improvement notice, unsatisfactory job performance notice, or a resignation in lieu of dismissal.
- 4.2.1.13 Dishonorable discharge from the Armed Forces of the United States.
- 4.2.1.14 Refusal to furnish testimony, other than self-incriminating, at a hearing or investigation before the Personnel Commission or the Board of Education.
- 4.2.1.15 Unsatisfactory health conditions which clearly indicate that the applicant or candidate would be unable to perform the essential functions of the job with or without reasonable accommodation or would endanger his/her health and safety or the health and safety of others.
- 4.2.1.16 Attempting to or making contact with any member of the Board of Education or the Personnel Commission with the intent of attempting to favorably influence the recruitment, examination, and/or selection process in any way. Exempted from this restriction would be any formal appeal of the recruitment/examination/selection process to the Personnel Commission as a whole by any candidate through the established appeal process.
- 4.2.1.17 Failure, after due notice, to report for review of any of the

above causes for disqualification.

4.2.1.18 Failure to report for duty after an assignment has been offered and accepted.

4.2.1.19 Serious or numerous traffic violations when driving is a part of the duties of the class.

REFERENCE: Education Code Sections 45111, 45122, 45123, 45124, 45134, 45260, 45261, and 45303

4.2.2 APPEAL FROM DISQUALIFICATION: Any applicant, candidate, and/or eligible disqualified based on Rule 4.2 shall be notified in writing, indicating the reasons for disqualification and advising the individual that he/she has five (5) working days from receipt of notification to appeal the decision to the Director of Classified Personnel. The notification shall state the reason(s) for rejection, the length of time the individual shall be ineligible to be considered for examinations or appointment to a position in the District and will inform the applicant of his/her right to make a written appeal to the Director of Classified Personnel for administrative review within five (5) business days or the rejection becomes final and conclusive.

4.2.2.1 Anyone who has appealed a disqualification shall conditionally be permitted to take the examination pending final decision.

4.2.2.2 Upon receipt of an appeal, the Director of Classified Personnel shall conduct an investigation. The appeal must be based on one of the following reasons: Discrimination because of race, color, age, gender, disability, ancestry, religion, national origin, medical condition, marital status, veteran status, sexual orientation or any other characteristic protected by state or federal law; abuse of discretion; or inconsistency of the reasons given not being in accordance with the facts.

If the decision is in favor of the applicant, the applicant shall be notified and given rights as though the disqualification had not occurred. If the decision is to deny the appeal, the applicant may appeal to the Commission within five (5) working days after being notified.

4.2.2.3 Upon receipt of an appeal, the Commission shall conduct a hearing and shall receive evidence and render a decision within fourteen (14) calendar days of the hearing. If the Commission's decision is in favor of the applicant, the applicant shall be given rights as though the rejection had not occurred. The decision of the Personnel

Commission is final and binding on all parties.

4.2.2.4 Appointments may be made from available eligibles pending final decision on the appeal (unless ordered otherwise by the Personnel Commission), and shall not be changed even though the outcome is in the appellant's favor, unless such appointments were fraudulently made.

REFERENCE: Education Code Sections 45260 and 45261

4.2.3 SUBMITTING PROOF OF VETERAN'S CREDIT:

4.2.3.1 VETERANS' PREFERENCE: 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 points and disabled veterans shall be allowed an additional credit of ten points, which shall be added to the percentages attained in the examinations. No person shall earn more than a total of 10 points. Veterans shall be placed on an eligibility list and be eligible for appointment in the order and on the basis of the percentages attained by them in examinations after the credit of five points, or ten points in the case of disabled veterans, is added.

To be entitled to veteran's preferences as provided for the Act, applicants must apply for such preferences upon their official application forms at the time of filing such applications and must forward to the Director of Classified Personnel the original or a certified photographic copy of honorable discharge or of certificate of honorable active military service, or other acceptable evidence of required military service.

"Veteran" as used in this article means any person who has served in the United States armed forces in 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, proof of which shall be submitted to the Commission at the time of examination.

"Armed Forces" means the United States Air force, Army, Navy, Marine Corps, or Coast Guard.

"Disabled Veteran" as used in this article means any veteran, as defined in the Education Code, who is currently declared by the United States Veterans Administration to be 10 percent or more disabled as a

result of service in the armed forces. Proof of disability shall be deemed conclusive if it is on record in the United States Veterans Administration. Such proof of disability shall be dated within 90 days prior to the date of examination. If the disability has been declared permanent, then the last notice received by the applicant shall be accepted.

At least 30 days of active service in the armed forces between the dates listed below are required:

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
Persian Gulf	August 2, 1990 to February 28, 1992
Iraq	March 18, 2003 until completion

REFERENCE: Education Code Sections 45260, 45261, 45294, 45295, 45296

4.2.4 APPLICANT'S NAMES NOT TO BE MADE PUBLIC: The names of applicants or unsuccessful candidates in any of the District's selection processes shall not be made public.

REFERENCE: Education Code Sections 45260 and 45261

4.3 EQUAL EMPLOYMENT OPPORTUNITY

4.3.1 GENERAL STATEMENT: The Personnel Commission recognizes that the District should make employment decisions that provide equal employment opportunities for all.

4.3.2 EQUAL EMPLOYMENT OPPORTUNITY/MERIT SYSTEM: The Personnel Commission will: ensure that all classified personnel actions are conducted without regard to race, color, gender, age, disability, ancestry, religion, national origin, medical condition, marital status, veteran status or sexual orientation; ensure employment and promotion decisions are made in a manner to further the principles of equal employment opportunity and Merit System principles.

4.3.3 POSITION QUALIFICATIONS: The Personnel Commission will: establish essential position qualifications that can be validated as job oriented and as such do not exclude qualified candidates; encourage recruitment

procedures that are directed toward the fulfillment of equal opportunity and ensure that examinations are valid.

4.4 EXAMINATIONS: The Personnel Commission shall authorize the Director of Classified Personnel to direct and administer the holding of examinations for the purpose of creating eligibility lists for the Classified Service. 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.

4.4.1 DETERMINATION OF EXAMINATIONS: The Personnel Commission or its designee shall determine the standards of proficiency to be required for examinations and determine whether the examinations shall be:

4.4.1.1 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. These examinations shall be open to all qualified applicants.

4.4.1.2 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.

When no promotional field of competition willing and able to accept the position exists (at least 3 qualified ranks of eligibles), the Commission may order an open examination or simultaneously open a promotional examination. Promotional examinations shall be restricted to probationary or permanent employees of the District and former employees on a valid reemployment list who meet the prescribed qualifications of the class, and whose last regular report of the performance was at least satisfactory.

4.4.1.2.1 Probationary employees (defined as those employees who hold no permanency in any classification in the District) may take the exam but will not be able to be selected off the promotional eligibility list until completion of their probationary period.

4.4.1.2.2 Performance evaluations and employee improvement plans prepared by the immediate supervisor and reviewed by the employee, shall be considered in evaluating an employee's

general fitness for promotion.

4.4.1.3 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 Classified Personnel may advertise the examination among employees and the general public.

4.4.1.3.1 Applicants shall be considered as a group in determining passing scores on the examination.

4.4.1.3.2 The 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 and willing employees), certification of additional ranks shall then be made from the open list. Example: Only two eligible employees are on the promotional list and there is a valid open list. The two eligible employees on the promotional list will be merged with the existing open list and any veteran's and seniority points will be added to the eligible employees promotional list scores (with the total rounded to the nearest whole percent). The appointing authority will then interview the top three willing and able candidates off the newly combined Promotional/Open List.

4.4.1.4 Merged Examinations: The Personnel Commission, or its designee, may authorize the holding of an examination under merged promotional and open competitive procedures. The resulting eligibility list shall consist of promotional and open competitive eligibles in one merged list. Veteran's credits will not be allowed, however, seniority credit for promotional candidates will be allowed.

REFERENCE: Education Code Sections 45260, 45261, 45272 and 45284

4.4.2 **HOLDING EXAMINATIONS:** Whenever it is necessary to fill existing or anticipated vacancies in the classified service and an appropriate eligibility list does not exist (as determined by the Commission), the Personnel Commission, or its designee, shall direct an examination to be held to provide eligibles. At least fifteen working days advance notice of the examination shall be given. The Director of Classified Personnel may place advertisements in newspapers, trade and business journals or other media. The Director of Classified Personnel shall make every effort to notify community agencies and to ensure that organizations dealing with protected groups are notified of "open" or "open and promotional" examinations. The notice shall contain the

following facts:

4.4.2.1 Information concerning the location of employment, the expected number of vacancies, and other conditions of employment;

4.4.2.2 Description of the scope of duties and responsibilities of the position and the class;

4.4.2.3 The qualifications and requirements of the class;

4.4.2.4 The salary and other forms of compensation;

4.4.2.5 The last date for filing an application;

4.4.2.6 The subject about which competitors may be examined and the weights of the various parts of the examination; and

4.4.2.7 Such other information as will assist the employees and the public in fully understanding the nature of the employment and prerequisites necessary to participate in the examination.

4.4.3 **WHO MAY COMPETE:** Competitive examinations for positions in the classified service shall be open to all applicants who meet the minimum qualifications and who are not rejected as provided in Rule 4.2.1.

4.4.4 **NOTICE OF EXAMINATION:** Each applicant whose application has been approved shall be notified at a reasonable time in advance of the date, the time and the place of the examination. Such notice shall be the applicant's authorization to take the examination. Each candidate must provide personal identification (with picture I.D.) at time of examination admittance in order to take the test.

4.4.5 **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.

4.4.5.1 Examinations may be any part or a combination of parts for the following: written, oral or in the form of a practical demonstration of skill and ability.

4.4.5.2 Any investigation or evaluation of education, experience, character, or identity and test of technical knowledge, manual skill, or physical and mental fitness, which serves this end, may be employed.

4.4.5.3 Instructional Aides are required to possess an Associate of Arts

degree; OR have two years of college (48 semester units); OR have a high school diploma or GED **AND** demonstrate through a formal assessment test that they can meet rigorous standards of quality and knowledge and the ability to assist in instructing reading, writing, math or readiness in reading, writing and math.

4.4.6 EXAMINATION PROCEDURES: Candidates in any written, oral or performance test must take the test on the prescribed date unless religious affiliation or military service requires other arrangements.

4.4.6.1 Copies of the questions in a test shall not be made by candidates or other unauthorized persons.

4.4.6.2 Where written tests are required, they shall be so managed that none of the test papers will disclose the name of any candidate until all papers of all candidates in a given examination shall have been marked and rated.

4.4.6.3 Any candidate who places any identifying mark upon his/her test papers (other than the identifying mark prescribed at the time of the examination) or makes any attempt to disclose to others the identity of his/her papers prior to the completion of the examination shall be disqualified. The following marks of identification are within the meaning of the rule: Name or address of the candidate; any assumed or fictitious name or address; any initial, lines or other characters that might indicate the identity of the candidate.

4.4.6.4 The Commission authorizes the Director of Classified Personnel to conduct examinations without requiring specific approval for each class in advance.

4.4.6.5 The proceedings of all oral examinations shall be electronically recorded. Such tapes shall be retained for 90 days following establishment of any eligibility list.

4.4.7 EXAMINATION WEIGHTING: The relative weights of the different parts of the examination shall be determined by the Director of Classified Personnel and set forth in the announcement of the examination. The Director of Classified Personnel shall determine passing scores and assign relative percentage weights to each part. The procedure for setting percentage weights shall be impartial. All examination papers shall be prepared and rated under the direction of the Director of Classified Personnel.

4.4.7.1 Competitors may be required to attain a designated minimum rating in each part or in combined parts of the examination to qualify

for participation in the next succeeding part.

4.4.7.2 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.

REFERENCE: Education Code Sections 45260, 45261, 45294, 45295 and 45296

4.4.8 REVIEW OF WRITTEN TEST: An applicant or candidate may review and/or file a protest against any part of the examination citing the reasons for protesting. Each protest shall be in writing and shall give specific facts and reasons to support the protest and shall include authoritative references or opinions of recognized experts where such exist and state the remedy sought. No candidate may remove or copy information from the examination materials. Protests shall be made to the Director of Classified Personnel within five (5) business days after the completion of the portion of the examination on which the protest is based. Failure to review or file a protest with the Director of Classified Personnel within the review period shall constitute a waiver of the right to appeal that part of the selection process.

Any errors, improprieties or ambiguities shall be corrected. If a question is eliminated, or more than one answer is allowed, the entire exam shall be rescored accordingly. The Director of Classified Personnel shall respond in writing within five (5) business days to the written protest. The written response shall be 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 applicant is responsible for keeping the District informed of his/her home address. 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 Classified Personnel 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. If the applicant, candidate and representative are not satisfied with the response, they shall notify the Personnel Commission within five (5) business days upon receiving the Director's written response to their protest. The Commission shall review all materials relevant to the protest. The Personnel Commission shall schedule a hearing to further consider the

protest. The Commission shall render its decision at its next scheduled meeting. The decision of the Commission shall be in writing and served on the applicant in the same manner noted in this section. The decision of the Personnel Commission shall be final and binding on all parties.

An appointment made in good faith from an eligibility list believed to be correct at the time of appointment shall not be invalidated if an error is later discovered in the grading of the examination papers or in the processing of the applications.

4.4.9 EXAMINATION PAPERS: Examination papers shall not be available to the public or to any person for any purpose not directly connected with the examination and shall be considered confidential. Such examination papers shall, within reasonable time limits, be available to a candidate or his/her representative.

4.4.9.1 The representative will only have access to a candidate's examination papers when written authorization has been provided by the candidate.

4.4.9.2 The candidate or representative may not review the records of another person

4.4.9.3 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 Section 45274

4.4.10 QUALIFICATIONS APPRAISAL INTERVIEW (ORAL INTERVIEW): When an examination includes a Qualifications Appraisal Interview (QAI) those candidates eligible for the QAI will be examined at the earliest practicable date after conclusion and rating of earlier testing.

4.4.10.1 All QAIs will be recorded electronically and such recordings will be kept in the Commission office for a period of 90 days following the date of the QAI.

4.4.10.2 A QAI board will consist of at least two (2) members. Unless otherwise directed, the QAI board shall confine itself to evaluating general fitness for employment in the class.

4.4.10.3 When the QAI board is directed to evaluate technical knowledge and skills, at least two members of the board shall be

technically qualified in the specified occupational area.

4.4.10.4 District employees may serve on a QAI board; however, under no circumstance, is a District employee to serve on a QAI board if he/she is at the first or second level of supervision over a vacant position in the class for which the examination is held.

4.4.10.5 A candidate may appeal a QAI rating, in writing to the Director of Classified Personnel, who shall respond in writing within five (5) business days. If rejected, a candidate may appeal to the Commission, in writing, at any time after notification of his or her final score, but within five (5) business days after establishment of the eligibility list. The Commission may alter the QAI rating if it finds justification for the protest and order the candidate's examination score adjusted accordingly. No change in an eligibility list shall invalidate any appointment which was made prior to the ordered adjustment unless the appointee was fraudulently appointed.

4.4.10.6 Members of the Board of Education or the Personnel Commission shall not serve on an interview panel.

4.4.10.7 Scores achieved by the candidate on other parts of the examination shall not be made available to the interview panel.

4.4.10.8 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 Classified Personnel, which shall be signed by the interviewer and be delivered to the Director of Classified Personnel 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 be make a record of the reason(s) on the rating sheet.

4.4.10.9 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 45260 and 45273

4.4.11 SENIORITY CREDIT FOR PROMOTIONAL EXAMINATIONS

In open promotional examinations only, seniority credit shall be added to the final passing scores of candidates in the amount of $\frac{1}{4}$ of one point for each year of service, not to exceed a total of five points. Credit shall be granted for time spent in regular status in the classified service and on leave from the classified service while otherwise employed in the District.

4.4.11.1 A full year's credit shall be granted to employees whose regular position is assigned on less than a calendar year basis. Credits shall be calculated for units of not less than a half year, unless greater accuracy is required to break ties in examination scores, in which case fractions of years shall be counted.

4.4.12 TIES IN EXAMINATION SCORES: When two or more competitors in an examination have the same final examination score, preference in placement on the eligibility list shall be based on the following provisions applied in the following order:

4.4.12.1 In promotional examinations, seniority credit shall be calculated to the fractional point necessary to break the tie.

4.4.12.2 Higher rank shall be given to the competitor with the higher score in the performance test, if any.

4.4.12.3 Higher rank shall be given to the competitor with the higher score in the written test.

4.4.12.4 Higher rank shall be given to the competitor with the higher score in the oral examination.

4.4.12.5 Higher rank shall be given to the competitor who filed the earliest application

4.4.12.6 If a tie exists, it will be broken by a drawing of names; first drawn shall receive the higher score, next drawn, next highest, etc.

4.4.13 NOTICE OF FINAL SCORE: Each competitor shall be notified of their final score and of their relative standing on the eligibility list within fifteen (15) working days. The eligibility list will be in the Personnel Office for review.

4.4.14 VIOLATION OF THESE EXAMINATION RULES/LAWS:
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 after the date of the order, and such violation shall constitute grounds for the dismissal of the employee or employees guilty of such violation.

REFERENCE: Education Code Sections 45301 and 45311