



STATE OF NEW JERSEY

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

In the Matter of James Clancy Jr.,
Fire Captain (PM2322C),
Cinnaminson

Examination Appeal

CSC Docket No. 2023-426

ISSUED: December 21, 2022 **(RE)**

James Clancy Jr. appeals his score for the oral portion of the promotional examination for second-level Fire Captain (PM2322C), Cinnaminson. It is noted that the appellant failed the subject examination.

It is noted for the record that this two-part examination consisted of a written multiple-choice portion and an oral portion. The test was worth 70 percent of the final score and seniority was worth the remaining 30 percent. The various portions of the test were weighted as follows: written multiple choice portion, 35.26%; technical score for the Evolving Scenario, 20.77%; oral communication score for the Evolving Scenario, 2.79%; technical score for the Administration Scenario, 13.56%; oral communication score for the Administration Scenario, 2.79%; technical score for the Arriving Scenario, 22.04%; and oral communication score for the Arrival Scenario, 2.79%.

The oral portion of the second level Fire Captain examination consisted of three scenarios: a fire scenario simulation with questions designed to measure knowledge and abilities in assessing risk (Evolving); a simulation designed to measure technical knowledge and abilities in administrative duties (Administration); and a fire scenario simulation designed to measure technical knowledge and abilities in strategy and attack plan and hazmat (Arriving). For the Evolving and Administration scenarios, candidates were provided with a 25-minute preparation period for both, and candidates had 10 minutes to respond to each. For the Arriving scenario, a five-minute preparation period was given and candidates had 10 minutes to respond.

The candidates' responses were scored on technical knowledge and oral communication ability. Prior to the administration of the exam, a panel of Subject Matter Experts (SMEs) determined the scoring criteria, using generally approved fire command practices, firefighting practices, and reference materials. Scoring decisions were based on SME-approved possible courses of action (PCAs) including those actions that must be taken to resolve the situation as presented. For a performance to be acceptable, other than for oral communication, a candidate needed to present the mandatory courses of action for that scenario. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process. Scores were then converted to standardized scores.

Candidates were rated on a five-point scale, with 5 as the optimal response, 4 as a more than acceptable passing response, 3 as a minimally acceptable passing response, 2 as a less than acceptable response, and 1 as a much less than acceptable response. For each of the scenes, and for oral communication, the requirements for each score were defined.

For the Evolving scenario, the appellant scored a 2 for the technical component and a 3 for the oral communication component. For the Administration scenario, the appellant scored a 3 for the technical component and a 5 for the oral communication component. For the Arriving scenario, the appellant scored a 1 for the technical component and a 5 for the oral communication component. The appellant challenges his score for the technical component of the Evolving scenario. He also appeals the test administration, specifically, that he was denied entry prior to the examination, there was a typographical error in the paperwork, and the number of pages in the booklet were not the same as that mentioned by the monitor. The appellant claims that these issues resulted in his confusion and stress. As a result of the appeal, the appellant's test material, video, and a listing of PCAs for the scenarios were reviewed.

Regarding the test administration, it is noted that the examination was held on March 22, 2022, and the appellant filed an appeal of this issue in an appeal postmarked August 24, 2022, after the examination review. *N.J.A.C. 4A:4-6.4(c)*, (Review of examination items, scoring and administration) states that appeals pertaining to administration of the examination must be filed in writing at the examination site on the day of the examination. As such, the appeal of this issue is clearly untimely. Appeals of test administration must be filed in writing at the examination site on the test date.

The Evolving scenario involved a report of smoke at an assisted living facility. The candidate is the Incident Commander. Question 1 asked for actions,

orders and requests to fully address the incident. Question 2 indicated that handicapped patients trying to evacuate used the elevator which is now stuck on an unknown floor, and the question asks for actions that should be taken to address the current situation. Instructions indicate that, in responding to the questions, the candidate should be as specific as possible in describing actions, and should not assume or take for granted that general actions will contribute to a score.

For the technical component, the assessor indicated that the appellant failed to order a water supply to be established, or order horizontal ventilation in question 1, and to feed the Fire Department Connection (FDC) in question 1. They also indicated that he missed the opportunity to assign a safety officer, which was an additional response to question 1. On appeal, the appellant argues that he stated he assigned the first due engine to the closest fire hydrant, and assigned the second due engine company to a second fire hydrant to ensure a secondary water supply.

A review of the appellant's video indicates that he provided a report to dispatch which included the response, "I have smoke showing on the A alpha side on the first floor in the middle closer to the D delta side. Engine 5 will stage near the alpha bravo corner by the main entrance. There is a water supply at that corner at a fire hydrant." The appellant then requested additional resources and stated, "After learning that the fire department connection is out of service potentially, without taking any risks trying it, we will stretch a three-inch line through the main entrance at the alpha bravo corner. At the end of that three-inch line we will reduce it to an inch and three quarter attack line using a gated wye at the end of that three-inch line. This handline will be used for fire suppression by Engine 5's crew." The appellant stated, "Engine 6 will be ordered to standby at the second hydrant which will be our second water source on Apple Avenue located closest to the alpha delta corner of the building. They will be ordered to assist Engine 5 by pulling a second line, of inch and three quarter length, or diameter, excuse me, to assist with the extinguishment of the fire."

This was a formal examination setting and candidates were evaluated on what they actually said. Credit was not given for information that is implied or assumed. In the passages above, the appellant stages each engine near a hydrant, then orders crews to pull specific lines into the building. But he does not order a water supply to be established, and he did not order the crews to hook up to the hydrants. The assessor notes are correct. The appellant missed this action, and the other actions listed by the assessor. As he missed two mandatory responses, his score of 2 for this component is correct.

CONCLUSION

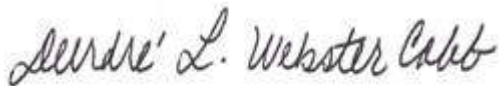
A thorough review of the appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and the appellant has failed to meet his burden of proof in this matter.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 21st DAY OF DECEMBER, 2022



Deirdre L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Nicholas F. Angiulo
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P. O. Box 312
Trenton, New Jersey 08625-0312

c: James Clancy Jr.
Division of Test Development and Analytics
Records Center