



STATE OF NEW JERSEY

In the Matter of Crystal Garner,
Assistant Supervisor of Professional
Residential Services, Developmental
Disabilities (PS7682K), Department
of Human Services

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2023-2353

Examination Appeal

ISSUED: September 20, 2023 (JH)

Crystal Garner appeals the administration of the promotional examination for Assistant Supervisor of Professional Residential Services, Developmental Disabilities (PS7682K), Department of Human Services. It is noted that the appellant did not achieve a passing score.

By way of background, the subject examination was administered on April 27, 2023 as a written multiple-choice examination. Candidates for the subject test were required to answer questions 16 through 65 and 76 through 105 in their test booklets and were to be provided with two hours and 10 minutes to complete the above noted items. The appellant was scheduled to be tested at 6:00 p.m. at Camden County College.

In an appeal filed on May 1, 2023, the appellant indicates that she was “assigned to the 3rd floor room E. In this classroom there was also testing going on for the title of Assistant Supervisor of Resident Living and some were taking both exams . . . [W]hen I was taking the test the instructor came in and stated that time was up and told everyone to bring up their test. It seemed to me that we were supposed to have more time because I thought we were supposed to get 2 hours and 10 or 20 minutes. So I second guessed myself and listened to the instructor as I felt she would know best. So I got in line and turned my test in[. T]hey checked it and gave me back the paper off the test.” She presents that the next morning when she was “getting something out of my purse I was looking at the paper that was tor[n] off my test answer sheet and it says the time limit for the test was 2 hours and 10 minutes. Now[,] the test started at 6:33 p.m. so that means I should have had until 8:43 to complete the test.” The appellant contends that after the test, it took her a

few minutes to walk back to her car where she “sent a text message to my boss telling him that I didn’t get a chance to finish because time ran out . . . [T]his message was sent at 8:45 pm so if our time limit wasn’t supposed to be up until 8:43 there’s no way that I could have stood in line to hand in my test, then walked down from the 3rd floor and all the way out to my vehicle and sent a message in two minutes.” She requests that she “be given the rest of my time of at least 10 minutes that I was supposed to have in order to attempt to finish my questions.” In support of her appeal, the appellant submits additional documentation including: a copy of her answer sheet stub indicating the symbol (PS7682K), the questions that were to be answered (016-065; 076-105) and the total time to complete the test (Hrs-2 Min-10); and a screen shot of text messages purportedly sent on the test administration date which includes a text message sent at 8:45 p.m. which states, “I ran out of time and had a lot left.”

CONCLUSION

N.J.A.C. 4A:4-6.4 states that appeals pertaining to administration of the examination must be filed in writing at the examination site on the day of the exam. As noted above, the test was administered on April 27, 2023 and the appellant filed her appeal on May 1, 2023, four days after the test administration date. Accordingly, her appeal of test administration issues is clearly untimely.

Nevertheless, for informational purposes, it is noted that room monitors were provided with the same set of instructions and they were directed to read the instructions to the candidates as written. In this regard, the monitor instructions provide, “All appeals of the test administration, not the exam content, must be done TODAY at the Test Center. If you wish to appeal how today’s test was administered, please report to Room A after the test.” Candidates were then told to clear their desks of everything except answer sheets and pencils and instructed:

Please verify that you have been given the correct answer sheet by looking on the upper right side of the answer sheet for your name and social security number. Below that, you will see the symbol or symbols that you have applied for, and below that it says, ‘Answer these questions.’ These are the ONLY questions you are to answer. Anything else will NOT be graded and will not count toward your score. Make sure, as you take your test that you are bubbling your answer in the corresponding number on your answer sheet. Are there ANY questions about which items you are to answer?

Monitors further instructed candidates, “Below the questions that you are to answer is the ‘Total Time.’ This is the amount of time that you have to answer the questions

above. Once we begin the test, I will write the START time on the board.¹ It is up to you to calculate your end time and keep track of time during the test. Are there ANY questions about your total time?” Subsequent to additional instructions and just prior to beginning the exam, monitors directed candidates, “We are about to begin the exam. Time will run continuously. Remember, it is up to you to keep track of your time. No warnings will be given when time is running out and I cannot answer any questions about how much time is left.”

It is noted that a review of monitor’s “Report on Conduct of Examination” for Room E indicates that three different titles were tested in that room on the test administration date: Assistant Administrative Supervisor, Income Maintenance, the subject title, and Assistant Supervisor of Resident Living, Developmental Disabilities/Veterans Services.² Candidates for these titles were provided with two hours, two hours and 10 minutes, and two hours and 15 minutes, respectively, to complete these respective examinations.³ As indicated above, the stubs on each candidate’s answer sheet clearly and unambiguously indicated not only the specific items candidates were required to answer but also the total amount of time that candidates had to answer those questions.

With respect to the appellant’s claim that when the room monitor called time, she believed “we were supposed to have more time because I thought we were supposed to get 2 hours and 10 or 20 minutes,” given that the answer stub clearly indicated the allotted time, it is not clear from the record as to why the appellant did not raise this issue with the room monitor. In addition, it is noted that test centers are under the supervision of Center Supervisors. The appellant had the opportunity to address the issue of time with the Center Supervisor on the test date. There is no record of the appellant complaining of this issue to the Center Supervisor during the test administration when a remedy could have been provided. In addition, as noted above, candidates for the subject test were required to answer questions 16 through 65 and 76 through 105 in their test booklets. A review of the appellant’s answer sheet finds that she provided responses to questions 16 through 22, 24 through 87 and question 92. The appellant does not indicate on appeal as to why she provided responses to 10 items that were not indicated on her answer stub. Additionally, a

¹ For those rooms without a board, monitors were instructed to place signs to indicate the start time.

² Specifically, a review of the record finds that the following symbols and number of candidates were tested in Room E: Assistant Administrative Supervisor Income Maintenance (PC4813D), Camden County, eight candidates; Assistant Administrative Supervisor, Income Maintenance (PC4814D), Cumberland County, two candidates; PS7682K, 15 candidates; and Assistant Supervisor of Resident Living, Developmental Disabilities/Veterans Services (PS8950K), Department of Human Services, seven candidates.

³ Despite that appellant’s assertion, a review of the record finds that there were no candidates who tested for both PS7682K and PS8950K assigned to Room E.

review of the answer sheets for the other 14 candidates for the subject examination who were assigned to Room E finds that 12 of those candidates provided responses to all of the requisite questions.

It is also noted that the room monitor for Room E was contacted regarding this matter and indicated that “candidates w[e]re split in the room by time. There w[ere] posted notes on the desk that indicated the time the candidates were each allowed. Candidates when checked in w[e]re sent to sit in the designated area for their time. As time ended for each section, I would walk over to the section and inform them time was up please close your books.” The monitor further indicated that she did not call time “in front of the whole class for everyone to stop testing.” It is further noted that no other candidate who tested in Room E filed a test administration appeal.

A thorough review of the record finds that the appellant has failed to support her 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 20TH DAY OF SEPTEMBER, 2023

Allison Chris Myers

Allison Chris Myers
Chairperson
Civil Service Commission

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

c: Crystal Garner
Sheila W. Benson
Division of Test Development, Analytics and Administration
Records Center