



STATE OF NEW JERSEY

In the Matter of Christofer Bean,
Fire Captain (PM2324C), East
Orange

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

Examination Appeal

CSC Docket No. 2023-2176

ISSUED: August 14, 2024 (ABR)

Christofer Bean appeals his score on the oral portion of the promotional examination for Fire Captain (PM2324C), East Orange. It is noted that the appellant failed the subject examination.

This two-part examination consisted of a written multiple-choice portion and an oral portion. Candidates were required to pass the written portion of the examination, and then were ranked on their performance on both portions of the examination. The test was worth 80 percent of the final score and seniority was worth the remaining 20 percent. Of the test weights, 35.90% of the score was the written multiple-choice portion, 22.04% was the technical score for the evolving exercise, 7.45% was the supervision score for the evolving exercise, 5.71% was the oral communication score for the evolving exercise, 23.20% was the technical score for the arriving exercise, 5.71% was the oral communication score for the arriving exercise.

The oral portion of the Fire Captain examination consisted of two scenarios: a fire scene simulation with questions designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of fire fighters and the ability to assess fire conditions and hazards in an evolving incident on the fireground (Evolving Scenario); and a fire scene simulation designed to measure the knowledge of safe rescue tactics and procedures to safeguard citizens, supervision of firefighters and the ability to plan strategies and tactics based upon a building's structure and condition (Arriving Scenario). Knowledge of supervision was measured

by a question in the Evolving Scenario, and was scored for that scenario. For the Evolving Scenario, candidates were provided with a 15-minute preparation period, and candidates had 10 minutes to respond. 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. Only those oral responses that depicted relevant behaviors that were observable and could be quantified were assessed in the scoring process.

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.

On the Evolving Scenario, the appellant scored a 2 on the technical component, a 2 on the supervision component, and a 3 on the oral communication component. On the Arriving Scenario, the appellant scored a 2 on the technical component and a 3 on the oral communication component.

On appeal, the appellant challenges the scoring of his examination, including specific challenges to his oral communication scores as well as other generalized complaints. As a result, the appellant's test material and video for the scenarios were reviewed.

On the oral communication scoring for the Evolving Scenario, the assessor indicated that the appellant displayed a major weakness in word usage/grammar, as evidenced by his use of fillers like "uh," "um," and "you know" in excess of 80 times during his response. Similarly, with the Arriving Scenario, the assessor found that the appellant excessively used the same filler words and phrase. Based upon the foregoing, the assessors awarded the appellant a score of 3 for the oral communication components of each scenario. On appeal, the appellant questions the validity of the oral communication scoring, because "the answers did NOT have to be correct [and] it's more of how its [sic] explained[.]" He further asserts that "this test and or [sic] the way [it was] administered [were] flawed, from the disruptions and distract[ions] during the test [to] the wording of the questions."

CONCLUSION

In the instant matter, the appellant has failed to sustain his burden of proof. Regarding the appellant's complaints about his oral communication scoring, it is this agency's longstanding policy that technical and oral communication component scores are independent ratings on the examination and that an exemplary or poor technical rating does not have a bearing on oral communication scoring and vice versa. Furthermore, oral communication performance can clearly distinguish candidates, including those delivering presentations with comparable technical details. To wit, it would be disingenuous to argue that the presentation of one candidate who spoke at a low rate of volume, had their speech punctuated by the frequent use of filler words like "ah" and "um," rarely made eye contact with their audience and routinely made distracting hand gestures would be as understandable, effective and well-received as the presentation of another candidate who gave a speech with a comparable level of detail, but without these same oral communication issues. For these reasons, mere arguments that because a candidate received a certain technical score on a scenario, they should have received a corresponding oral communication rating for that same scenario are invalid. Beyond this, a review of the appellant's presentation confirms that the appellant displayed major weaknesses in word usage/grammar, with his use of filler words and phrases like "uh," "um" and "you know" exceeding 100 utterances on each scenario. Accordingly, the appellant's oral communication score of 3 on both the Evolving and Arriving Scenarios is affirmed.

Finally, to the extent that the appellant challenges his written, oral technical and supervision scores, because the appellant has not provided any specific arguments regarding these scoring components, there is an insufficient basis to review their scoring.

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 14TH DAY OF AUGUST, 2024

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