



STATE OF NEW JERSEY

In the Matter of Bria Bost, *et al.*
Titles

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

CSC Docket Nos. 2026-690, *et al.*

Examination Appeals

ISSUED: November 5, 2025 (SLK)

Bria Bost, Shaaron Crossland, Filomeno Cuino, Vivian Harris, Reylan Malvern, and Deidra Samuel appeal the test administration of the Program Support Specialist 1 (PS6095K), 2 (PS7139K) and 3 (PS7567K), Assistance Programs, Department of Human Services, Division of Family Development promotional examinations.¹ These appeals have been consolidated due to common issues presented.

By way of background, Cuino sat for the Program Support Specialist 1 (PS6095K), Bost, Harris, Malvern, and Samuel sat for the Program Support Specialist 2 (PS7139K), and Crossland and Samuel sat for the Program Support Specialist 3 (PS7567K) promotional examinations which were administered on June 26, 2025.² None of the appellants passed any of the subject written examinations. The resultant lists promulgated on August 21, 2025, and expire on August 20, 2027. Certification PS251391 was issued for the PS6095K examination containing six eligibles, and its disposition is due November 11, 2025. Certification PS251392 was issued for the PS7139K examination containing eight eligibles, and its disposition is due November 21, 2025. Finally, certification PS251465 was issued for the PS7567K

¹ Cuino is serving provisionally as a Program Support Specialist 1, Assistance Programs. Bost, Harris, Malvern, and Samuel are serving provisionally as Program Support Specialist 2s, Assistance Programs.

² The subject examinations were computer-based.

examination containing the names of 10 eligibles and it was disposed of with one appointment recorded.

On appeal,³ the appellants all claim that the test monitor did not explain that they could skip questions and then go back to them. Further, they all claim that this alleged omission negatively impacted their score. Additionally, Bost and Malvern assert that the monitor was still going over instructions and providing other assistance after the test began costing them time which impacted their scores. Harris requests that her score be confirmed to ensure its accuracy. Also, she states that her test timed out before she was able to complete all the questions despite still having time remaining. Additionally, Harris contends that the limited advance notice concerning the test administration date impacted her score. Finally, the appellants request to retake the test and/or have their education and experience be considered in determining their eligibility and rank.

CONCLUSION

N.J.A.C. 4A:4-6.3 provides, in pertinent part, that in examination items, scoring, and administration appeals, the appeal shall include the specific objection being appealed and that the appellant shall have the burden of proof.

N.J.A.C. 4A:4-6.4(c) provides that an examination candidate wishing to challenge the manner in which the examination was administered must file an appeal in writing at the examination site on the day of the examination.

Initially, the record does not indicate that the appellants appealed the test administration at the test site or otherwise sought further clarification from the test monitor regarding the test instructions. As such, the appellants' appeals of the test administration are untimely as they needed to file an appeal in writing at the examination site on the day of the examination. *See N.J.A.C.* 4A:4-6.4(c). In *In the Matter of Kimberlee L. Abate, et al.*, Docket No. A-4760-01T3 (App. Div. August 18, 2003), the court noted that "the obvious intent of this 'same-day' appeal process is to immediately identify, address and remedy any deficiencies in the manner in which the competitive examination is being administered." In other words, any issue that the appellants had with the test administration needed to be addressed with the test monitor to see if that issue could be addressed at that time. However, once the appellants were exposed to the test, it would be unfair to the eligible candidates to allow them to either retest or otherwise adjust their score. Moreover, the appellants' education and experience cannot substitute for them demonstrating through competitive testing that they have the knowledge, skills, and abilities that have been identified by a job analysis regarding the duties in the subject title.

³ Samuel's appeals were postmarked August 19, 2025; Malvern's submitted her appeal online on August 26, 2025; Bost's and Cuino's appeals were postmarked August 28, 2025; Crossland's appeal was postmarked August 29, 2025; and Harris' appeal was submitted online on September 2, 2025.

In response to the appellants' claim that the test monitor did not explain that they could skip questions and then go back to them, the first page that the appellants viewed after starting the test stated the following:

Please take a few minutes to review the instructions that follow. They will explain how to navigate through the test and help you better understand the overall examination process.

Further, one of the bullet points that followed stated:

- You have the option of clicking the "REVIEW" button at the bottom of a question or the computer screen. This will color the corresponding numbered box yellow. This alerts you to the fact that you want to go back to review that question before finishing the exam.

Therefore, contrary to the appellants' assertions, the instructions did advise that candidates could go back and return to questions later.

Additionally, concerning Bost's and Malvern's statements that the monitor was still going over instructions and providing other assistance after the test began, candidates are told to follow along with the monitor's instructions. The test timer does not begin until candidates are told to begin their test. However, some candidates go ahead of the monitor's instructions and inadvertently begin the time of the test. When this happens, the candidate usually informs the monitor, and the monitor has the candidate log out and back in to start from the beginning. Therefore, if the timer started, it is because the candidate went ahead of the monitor's instructions and did not inform the monitor as to what occurred. Further, it is noted that the monitor reports do not mention that either candidate addressed this issue with them.

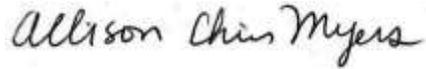
Regarding the accuracy of Harris's score, her raw score in the computerized test platform, matches the raw score that she was credited. Referring to Harris' claim that her test timed out, the record demonstrates that she responded to 75 out of the 80 test questions, and she spent two hours and 10 minutes on the test, which is the maximum amount allotted for the test. Further, the timer on the test taker's screen identifies how much time is left, and once the time reaches zero, the candidate can no longer make any changes to their test. Concerning the test notice, a notice informing the candidates of the test administration date was sent on June 5, 2025, which was the standard notice amount. Any delay in receiving the notice, such as the mail arriving late or the candidate not timely open their mail, cannot be accounted for as it is beyond this agency's control.

ORDER

Therefore, it is ordered that these appeals 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 5TH DAY OF NOVEMBER, 2025



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