



**STATE OF NEW JERSEY**

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

In the Matter of Laura Richards,  
Public Health Consultant 2,  
Nutrition (S2099W), Statewide

CSC Docket No. 2019-2216

Examination Appeal

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**ISSUED: JULY 20, 2020 (RAM)**

Laura Richards appeals the determination of the Division of Agency Services (Agency Services) that she did not meet the education requirement for the open competitive examination for Public Health Consultant 2, Nutrition ((S2099W), Statewide.

By way of background, the examination for Public Health Consultant 2 Nutrition (S2099W), Statewide, was open to candidates who graduated from an accredited college or university with a Bachelor's degree, supplemented by a Master's degree in any nutrition specialty, such as Public Health Nutrition, Human Nutrition, Dietetics, Food Service Administration or Nutrition Education by the October 22, 2018 closing date. Additionally, candidates were required to have three years of experience in nutrition or dietetics, one year of which must have been as a nutritionist in an administrative or consultant capacity. It is noted that the announcement did not allow experience to substitute for the required education. It is further noted that eight candidates applied for the examination and three were deemed eligible. An eligible list promulgated on February 14, 2019 with the names of the three individuals and was certified on February 19, 2019. One eligible was appointed, effective April 13, 2019, and the other two eligibles were bypassed and remain on the list. The resultant list expires on February 13, 2022.

Ms. Richards indicated on her application that she graduated with a Master's degree in Public Health from the University of the West Indies, a Bachelor's degree in Medical Dietetics from Howard University, and is a registered

Dietitian/Nutritionist with the State of New Jersey. Ms. Richards also listed her experience. The Division of Agency Services (Agency Services) credited Ms. Richards with the three years of experience but determined that she lacked the Master's degree in a nutrition specialty. Specifically, Agency Services noted that the primary focus of Ms. Richards' Public Health Master's degree dealt with the overall health issues of the public and/or community but not as a nutrition specialty. Thus, her Master's degree in Public Health was not applicable for the subject examination.

On appeal, Ms. Richards emphasizes that she has a Bachelor's degree in Medical Dietetics and is a registered dietitian with the Commission on Dietetic Registration since October of 1989. She notes that the examination requirements did not call for a Bachelor's degree in a specific area. The Bachelor's degree needed to be supplemented with a Master's degree that focuses in any nutrition specialty such as Public Health Nutrition, Human Nutrition, Dietetics, Food Service Administration, or Nutrition Education to meet the educational requirements listed on the announcement. Ms. Richards reiterates that it is her belief that her Master's degree in Public Health meets the educational requirements. Thus, she maintains that, given her overall credentials, she is fully qualified for the Public Health Consultant 2 Nutrition position. It is noted that Ms. Richards submits an evaluation of her academic credentials conducted by the World Education Services, which determined that her credentials were equivalent to a Master's degree in Public Health obtained through studies at an accredited institution within the United States.

## CONCLUSION

*N.J.A.C.* 4A:4-2.3(b)2 requires applicants to possess all the requirements specified in an announcement for an open competitive examination by the closing date. *N.J.A.C.* 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

In the instant matter, Ms. Richards' Master's degree in Public Health was found not to satisfy the education requirement for a Master's degree in any nutrition specialty for the subject examination. The Civil Service Commission notes that a concentration in a certain area is not a substitute for a degree. *See e.g., In the Matter of Michael Pisani* (MSB, decided December 4, 2001). Further, the fact that a class may contain the elements of a certain subject does not mean that those elements are the main focus of the class. *See e.g., In the Matter of Thomas W. Furlong* (MSB, decided June 6, 2007). The appellant has not submitted supporting documentation that her Master's degree in Public Health is specific to nutrition, and while her Bachelor's degree was in Medical Dietetics, it does not substitute for the Master's degree requirement. Further, a review of the evaluation of her academic credentials conducted by the World Education Services determined that her credentials are equivalent to a Master's degree in Public Health obtained through studies at an

accredited institution within the United States. It did not find that the primary focus of her degree was in a nutrition specialty. Moreover, given that the subject eligible list promulgated as a complete list and there are two eligible candidates remaining, there is no basis to relax the announced requirements. Accordingly, the appellant has not met her burden of proof in this matter.

**ORDER**

Therefore, it is ordered that the 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 17<sup>TH</sup> DAY OF JULY, 2020



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