STATE OF NEW JERSEY

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In the Matter of Richard Joyce and
Joseph Regateiro, County
Correctional Police Captain
(PC1523A), Essex County

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

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Examination Appeals

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CSC Docket Nos. 2022-421 and 2022-
433

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ISSUED: DECEMBER 6, 2021 (ABR)

Richard Joyce and Joseph Regateiro appeal the promotional examination for County Correctional Police Captain (PC1523A), Essex County. These appeals have been consolidated due to common issues presented by the appellants.

The subject examination was administered on May 25, 2021 and consisted of 70 multiple choice questions. It is noted that during the test administration, candidates were provided with two booklets: Booklet A (County Correctional Police Captain Supplemental Examination Material) and Booklet B (2021 County Correctional Police Captain Examination). Booklet A contained stimulus material and Booklet B contained the exam questions.

An independent review of the issues presented on appeal has resulted in the following findings:

Question 67 is part of a section of the exam designed to measure candidates' ability to review documents for accuracy. Candidates review a fictitious narrative, incident report, incident report summary, and a placement in pre-hearing detention memorandum. Candidates answer the question by determining which report, if any, differs from the narrative regarding the information in the question. The information in Question 67 is Sergeant Hart's identification (ID) number. Sergeant Hart's ID number is listed as 04013 in the narrative and in the incident report summary; and 04031 in the incident report and the placement in pre-hearing

detention memorandum. The keyed response is option a, the incident report differs from the narrative. Joyce and Regateiro argue that it should be double keyed with option c, that the placement in pre-hearing detention memorandum differs from the narrative. The Division of Test Development and Analytics has determined to double key this item to option a and option c prior to the lists being issued.

The Commission notes that Joyce selected both options a and c on his answer sheet. Typically, a candidate will not be awarded credit when they select more than one response to a question on an answer sheet. However, since both options a and c were correct in this instance, the Commission notes that Joyce should be credited as having selected the correct response to Question 67. Nevertheless, Joyce is cautioned that in the future, he may not receive credit if he selects more than one answer option on his answer sheet. If he believes a question on a future examination has more than one correct response, he should select only a single option and, if necessary, argue on appeal that the subject question should be double keyed.
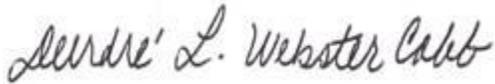
CONCLUSION

A thorough review of the appellants' submissions and the test materials reveals that, other than the scoring change noted above, the appellants' examination scores are amply supported by the record, and the appellants have failed to meet the burden of proof in this matter.

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 1ST DAY OF DECEMBER 2021

Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

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c: Richard Joyce (2022-421)
Joseph Regateiro (2022-433)
Division of Test Development and Analytics
Records Center