

STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

In the Matter of John Franceschino, Police Captain (PM3481C), Phillipsburg

CSC Docket No. 2022-3185

Examination Appeal

ISSUED: AUGUST 3, 2022 (RE)

John Franceschino appeals his score for on the essay portion of the examination for Police Captain (PM3481C), Phillipsburg. It is noted that the appellant passed the examination with a final average of 77.700 and ranks third on the resultant eligible list.

:

This was a two-part examination consisting of a multiple-choice portion and an essay portion. The examination content was based on a comprehensive job analysis. Senior command personnel from police departments, called Subject Matter Experts (SMEs), helped determine acceptable responses based upon the stimulus material presented to the candidates, and they scored the performances. In the essay portion of the examination, candidates were presented with a scenario, and were directed to respond to all four parts. Three candidates appear on the eligible list, which has not yet been certified. On a scale of 1 to 5, the appellant scored a 4 for the technical supervision/problem solving/decision making component.

CONCLUSION

The scenario involved receipt of a call regarding a young man having an overdose. Part A indicates that the candidate opts to report to the residence as it is that of the Police Chief who is away on vacation and the caller was the Chief's daughter. The question asked for actions to be taken, or ensure are taken, while at the residence. The assessor indicated that the appellant missed the opportunity to secure the scene or set up perimeters. The appellant argues that he stated that he would contact EMS once the scene is secured.

In reply, instructions to candidates indicated that all responses must be legible and comprehensible so that the intent of the responses can be understood by those scoring the responses. Also, credit cannot be given for information that is implied or assumed, but is awarded solely based on what is written. For Part A, the appellant's reference to the scene was, "Make sure the scene is safe," and "Contact EMS to respond in once the scene is secure." In this regard, ensuring the scene is safe is not the same thing as securing the scene or setting up perimeters. Securing the scene would keep others from coming in and contaminating the scene, perimeters would mark the area that was being secured. Making sure a scene is safe means that there are no weapons around or in this particular case that there are no toxic substances, like fentanyl, around that could injure the officers. Additionally, while the appellant would contact EMS to respond once the scene is secure, he again did not state that he would secure the scene. This was a formal examination setting, and candidates were to describe their actions in a manner that conveyed their knowledge. The appellant did not explicitly state that he would secure the scene, and he cannot receive credit for information that is implied or assumed. Viewed holistically, the appellant's presentation warrants a score of 4, but he missed further actions to enhance his score.

A thorough review of appellant's submissions and the test materials indicates that the decision below is amply supported by the record, and appellant has failed to meet his 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 3^{RD} DAY OF AUGUST 2022

Dervie L. Webster Calib

Deirdré L. Webster Cobb

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: John Franceschino

Division of Test Development and Analytics

Records Center