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STATE OF NEW JERSEY

In the Matter of Crystina Burt, Entry Level Law Enforcement Examination (S9999R) FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION

CSC Docket No. 2015-1252

Examination Appeal

ISSUED:

DEC 0 5 2014

(JET)

Crystina Burt requests that she be permitted to amend her application for the Entry Level Law Enforcement Examination (S9999R). It is noted that appellant passed the subject examination with a final average of 99.18.

By way of background, the subject examination was announced with a closing date of September 4, 2013 and all applications had to have been received by that date. A review of the record indicates that appellant listed a Parlin¹ address on her application and indicated a Middlesex Boro residency code (1211).

On appeal, Ms. Burt indicates in a sworn statement that when she applied for the subject examination, she was residing in Parlin. However, when she received her scoring notice dated May 1, 2014, it indicated a Middlesex Boro residency code. Upon contacting the Civil Service Commission, Ms. Burt asserted, among other things, that her application should have reflected the residency code for Sayreville (1219). In support of her appeal, she provides additional documentation including copies of her tax return, W-2 form, lease agreement dated June 30, 2014, firearms purchaser identification card, and driver's license which indicate that she lives at a Parlin address.

¹ The residency code that is used for Parlin addresses is 1219 (Sayreville).

CONCLUSION

N.J.A.C. 4A:4-2.1(f) permits an applicant to amend a previously submitted application prior to the filing closing date.

On the subject announcement, candidates were instructed that they must read the 2013 Law Enforcement Examination Fact Sheet. The Fact Sheet specifically states, "You must be a legal resident of the jurisdiction you list as your residency as of the closing date, September 4, 2013." Thus, candidates were on notice regarding residency requirements.

In the present matter, the announcement clearly indicated that the last date for filing an application was September 4, 2013. Ms. Burt has submitted a sworn statement in which she indicates that that the Middlesex Boro residency was incorrectly indicated on the application for the subject examination. Since Ms. Burt has submitted a sworn statement that she lived in Parlin at the time she submitted the application and Middlesex Boro was indicated as the residency code as a result of her error, her request should be processed and the appellant be permitted to amend her application to indicate a Sayreville residency code (1219).

The Commission emphasizes that it is not making a determination of the appellant's residency. In this regard, it is noted that each jurisdiction has its own residency requirement, which must be met by the closing date. The Civil Service Commission does not have authority over the establishment of this requirement. Some jurisdictions only require candidates to be residents as of the closing date, while others also require that residency be maintained up to the date of appointment. See N.J.A.C. 4A:4-2.11(c). The appointing authority will investigate the appellant's residency as part of its background check conducted prior to making any appointment.

ORDER

Therefore, it is ordered that this appeal be granted and Ms. Burt's application be amended to indicate a Sayreville residency code.

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 THE 3rd DAY OF DECEMBER, 2014

Robert M. Czech

Chairperson

Civil Service Commission

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and

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c: Crystina Burt Kelly Glenn