



STATE OF NEW JERSEY

FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION

In the Matter of Christina Heredia,  
Administrative Analyst 3 (PS3957F),  
Department of Education

Examination Appeal

CSC Docket No. 2018-174

ISSUED: SEP 08 2017 (JET)

Christina Heredia requests a make-up examination for Administrative Analyst 3 (PS3957F), Department of Education.

By way of background, the subject examination was administered on June 15, 2017 and Ms. Heredia did not appear to take the test. On appeal, Ms. Heredia asserts that she was unable to take the examination as her child was graduating from high school on that same date. As such, she did not take the examination as she went to her child's graduation which is a once in a lifetime opportunity. She now requests to take a make-up examination. In support, she provides documentation to show that her child was graduating on the same date and time the examination was administered, June 15, 2017. It is noted that Ms. Heredia previously submitted a make-up examination request to this agency and, by letter dated June 28, 2017, the Division of Agency Services (Agency Services) notified Ms. Heredia that her request for a make-up examination was denied.

*N.J.A.C. 4A:4-2.9(a)* provides that Make-up Examinations, except for police, fire, and professional level engineering promotional examinations, may be authorized for the following reasons:

1. Error by the Civil Service Commission or appointing authority; or
2. Serious Illness or disability of the candidate on the test date, provided the candidate submits a doctor's certificate specifying the candidate was not able to take the test on that day for medical reasons;

3. Documented serious illness or death in the candidate's immediate family;
4. Natural disaster;
5. Prior Vacation or travel plans outside of New Jersey or any contiguous state, which cannot be reasonably changed, as evidenced by a sworn statement and relevant documentation; and
6. Other valid reasons.

It is noted that three candidates were eligible. Two candidates (including the appellant) did not appear for the examination and one candidate failed the examination.

### CONCLUSION

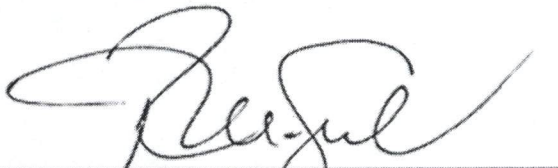
The record establishes that appellant was scheduled to take the subject examination on June 15, 2017 and she did not do so. Nonetheless, she provides evidence that her child was graduating from high school at the same date and time the test was administered. While a scheduling conflict is not usually reason for the granting of a make-up examination, and is not generally contemplated under *N.J.A.C. 4A:2-2.9(a)*, given that one candidate failed and another candidate as well as the appellant failed to appear for the examination, under these limited circumstances, good cause exists to permit Ms. Heredia to take a make-up examination. However, this decision is limited to the unique circumstances of this matter and may not be used as precedent in any future decisions.

### ORDER

Therefore, it is ordered that this request be granted, and Ms. Heredia be scheduled for a make-up examination.

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 6<sup>th</sup> DAY OF SEPTEMBER, 2017



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Robert M. Czedh, Chairperson  
Civil Service Commission

Inquiries  
and  
Correspondence

Christopher Myers  
Director  
Division of Appeals and Regulatory Affairs  
Civil Service Commission  
Written Record Appeals Unit  
P. O. Box 312  
Trenton, New Jersey 08625-0312

c: Christina Heredia  
Michelle Karngbaye