



STATE OF NEW JERSEY

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

In the Matter of Jeff Schevlin,
Sheriff's Officer Captain (PC2935W),
Ocean County

Examination Appeal

CSC Docket No. 2020-1887

ISSUED: FEBRUARY 28, 2020 (ABR)

Jeff Schevlin appeals his score on the essay portion of the examination for Sheriff's Officer Captain (PC2935W), Ocean County. It is noted that the appellant passed the examination with a final average of 88.900 and ranked third on the subject eligible list.

The subject examination was administered on May 2, 2019 and consisted of 50 multiple choice questions and one essay question. Candidates were given two hours and 25 minutes to complete the examination. The examination was based on a comprehensive job analysis conducted by the Division of Test Development and Analytics (TDA), which identified the critical areas of the job. The essay portion of the examination contained two parts, Part A and Part B. The prompt for the essay stated that the candidate had been having issues with a subordinate's reports in recent weeks. It also presented that the candidate scheduled a meeting with the subordinate to address these issues. In Part A, the candidates were instructed to identify the six guidelines for delivering effective criticism in Bruce B. Tepper and Ida M. Halasz, *Supervision: A Handbook for Success* (1998). Part A also asked candidates to write about what they would say to their subordinate in this situation. Part B asked candidates to list the five features that goals should have according to Tepper and Halasz, *supra*, and directed them to write a goal for their subordinates regarding report writing.

Prior to the administration of the examination, TDA determined the scoring criteria. Candidates' responses to the essay were rated on a five-point scale, with 5 as the optimal response, in two components: (1) knowledge of supervision and

problem-solving (technical); and (2) written communication. With regard to the technical component, it is noted that there were 12 possible items for candidates to identify, including seven items in response to Part A¹ and five items in response to Part B. Candidates who identified nine or 10 of the possible responses received a score of 4 on the technical component and candidates who identified 11 or 12 possible responses received a score of 5. The appellant received a score of 4 on the technical component and a score of 4 on the written communication component. The appellant's score of 4 on the technical component was based upon a finding by two scorers that he identified nine out of 12 responses to Parts A and B. Specifically, the scorers credited the appellant with points for four out of seven responses to Part A and five out of five responses in Part B. The scorers stated that the three responses the appellant failed to identify in Part A, were: "criticize as quickly as possible when you discover a problem," "don't present criticism with praise," and "don't trap or humiliate staff members."

On appeal to the Civil Service Commission (Commission), the appellant maintains that he stated in his essay that "to establish with the employee a [*sic*] when and where to ensure a negative discussion."² The appellant argues that this statement clearly conveys that he would not provide any praise to his subordinate. In support, he cites a prompt within the source text which asks "[h]ow will you present the criticism without citing any praise?" See *Tepper and Halasz, supra* at 86. He also asserts that source material's recommendation that the supervisor provide the criticism at a time and location where privacy can be assured further demonstrates that his response conveys that praise should not be provided with criticism. See *Tepper and Halasz, supra* at 87. In this regard, he avers that since the criticism constitutes bad news for the subordinate, the source material "inherently instructs" the supervisor never to consider offering praise with criticism and to instead focus on a private meeting with the subordinate and providing only a "negative discussion." Finally, the appellant presents that his statement in his essay that he would "supply language or reasoning as to why the issues are being criticized" further expresses that he would not provide any praise to his subordinate during a meeting about the issues noted in the prompt.

CONCLUSION

N.J.A.C. 4A:4-6.3(b) provides that the appellant has the burden of proof in examination appeals.

¹ Specifically, six of these items were the six guidelines for delivering effective criticism identified in *Tepper and Halasz, supra*. The seventh response was telling the subordinate the specific behaviors that needed to be addressed.

² The Commission notes that the exact statement in the appellant's essay was that "one must determine when and where to have the meeting to ensure a negative discussion."

In the instant matter, the appellant disputes his score of 4 for the technical component of the subject essay, which was based upon a determination by both scorers that he failed to identify three of seven responses in Part A. The appellant argues that his statements that “one must determine when and where to have the meeting to ensure a negative discussion” and that he would “supply language or reasoning as to why the issues are being criticized” demonstrated that he would not provide praise with criticism during a discussion with his subordinate. However, the Commission observes that the appellant’s statement that he would “ensure a negative discussion” is vague and does not directly address the presence or absence of praise in a conversation where he would be communicating criticism to a subordinate. Moreover, his indication that he would “supply language or reasoning as to why the issues are being criticized,” merely communicates that he would provide an explanation for his critiques. It does not convey that he would abstain from providing praise with his criticisms. The Commission emphasizes that scorers cannot read a candidate’s mind or assume he or she meant something not stated in the response. Thus, unless specifically stated, candidates do not receive credit for a response. *See e.g., In the Matter of Kevin Morosco* (MSB, decided March 24, 1998). Accordingly, because the appellant did not specifically state that praise should not be delivered with criticism, he was appropriately denied credit for this item. Moreover, the record does not demonstrate that his essay response contained two other required responses: “criticize as quickly as possible when you discover a problem” and “don’t trap or humiliate staff members.” Accordingly, the appellant was properly awarded a score of 4 for the knowledge of supervision and problem-solving component based upon his identification of nine out of 12 required responses in Parts A and B of the essay question on the Sheriff’s Officer Captain (PC2935W), Ocean County examination.

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 26TH DAY OF FEBRUARY, 2020



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