

9.23 KEYED COPY INSPECTION AND EXAMINATION PROTEST AND REVIEW:

- a. Keyed Copy Inspection. Examinees shall be able to review a keyed copy of exams within three business days immediately following the administration of such part or within the time limit specified on the examination instruction sheet, whichever period is longer. Keyed copies will not be provided for inspection for standardized tests or for continuous or periodic examinations.
- b. Exam Protest and Review Processes. Examinees may file an “exam protest” against any part of an examination in writing with the public safety examiner within the exam review period described in subpart a of this rule. The written exam protest shall explain: 1) how the administration of the exam failed to measure their knowledge, skills, and/or abilities required to perform the work of the promotional rank, and 2) the remedy requested. The Development Committee will rely on its subject matter expertise in evaluating and advising on protest decisions.
 1. Seeking review of an exam protest decision: Any examinee who is dissatisfied with the outcome of an exam protest decision by the public safety examiner may seek further review by filing a request for review with the Commission, in accordance with the instructions provided with the protest decision.
 2. Standard of review: The Commission shall uphold decisions on exam protests unless they are “clearly erroneous.” Under this standard of review, the Commission shall only reverse the decision on protest if, after considering all the evidence, it is left with the definite and firm conviction that a mistake has been made, even if there is some evidence to uphold the decision.
 3. Confidentiality of exam materials: The Commission recognizes that ensuring the security and confidentiality of exam materials upholds the integrity and credibility of exam processes. Exam materials for protest reviews shall be provided to Commissioners and examinees in a manner that aims to ensure their security and confidentiality.

PSCSC Rules 9.23 and 9.24 (current)

- c. When a qualifying grade is required on any part of an examination, those who fail to receive the qualifying grade shall be notified and any protest must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.
- d. Any protest against scoring or any allegation of clerical error in the final results of an examination must be filed in writing within three business days after the notices of results have been mailed or electronically delivered.
- e. Corrections apply to an entire exam. All protests filed in accordance with this rule shall be considered and any proper corrections made. Corrections applied as a result of an exam protest shall also be applied to relevant examinations of all examinees.

9.24 CORRECTION OF CLERICAL ERRORS. Any clerical error may be corrected by the Executive Director upon discovery at any time during the life of the eligible register, but no such correction shall affect an appointment made from a certification made prior to the correction.