



City of San Angelo
Minutes of Civil Service Meeting
April 6, 2016

Meeting was called to order at 9:00 a.m. on Wednesday, April 6, 2016. Commission members present were Raul Lopez, Chairman; Teresa Special, Vice Chair; Keith Hidalgo, Commission Member; Lisa Marley, Civil Service Director, and Theresa James, City Attorney.

1. Call to order at 9:00 a.m. by Raul Lopez.
2. Administer Oath of Office to Raul Lopez, Commission Member. Oath administered by Teresa Special.
3. Election and appointment of Chair and Vice Chair of Civil Service Commission. Motion made to keep Raul Lopez the Chairman and Teresa Special as Vice Chair. Motion approved unanimously.
3. Motion to approve minutes of the previous meeting. Motion to approve was made by Ms. Special and seconded by Mr. Hidalgo. Motion approved unanimously.
3. Motion to approve the daily action log. Motion to approve was made by Mr. Lopez and seconded by Ms. Special. Motion approved unanimously.
4. Consideration of appeals with regards to Sergeant Promotional Examination given by the Police Department on January 26, 2016.

a. Consider appeals of question numbers 11, 14, 19, 21, 22, 30, 53 and 66.

Mr. Lopez requested to begin with question number 11. Assistant Chief Fant approached the Commission. He read question number 11 to the Commission as well as the answers. Asst. Chief Fant cited the appeal made by the test taker. Assistant Chief Fant stated that the test writer responded the correct answer is D as keyed, although there was a typo, it did not impact the intent of the question. Assistant Chief Fant stated the administration agreed with the test writer that the most appropriate answer was D and cited the portion of the San Angelo Police Department Policy manual that provided the information requested. Officer Rick Tinsley approached the Commission to explain that he felt the question should be disqualified based on the typing error. Ms. Special stated that she disliked the way the policy was written as well as the question. Ms. Special explained her reasoning by reviewing the answers a loud. Ms. Special stated that the basis of the appeal isn't the concern but rather the answer selections. Ms. Special stated that she felt the question should be thrown out. Mr. Hidalgo stated that he felt the answers were directed to superiors more than the subordinates. Assistant Chief Fant posed the question of whether the concern was the policy or the test question. Ms. Special stated that she didn't think the question was well written. Mr. Hidalgo agreed. Ms. Special made the motion to throw the question out, Mr. Hidalgo seconded the motion. Motion approved unanimously.

Assistant Chief Fant recited question number 14, then recited the appeal. The appeal stated that the use of a singular verb versus a plural verb indicated that only one answer would be appropriate but multiple answers were acceptable. Assistant Chief Fant read the test writer's

response which stated that the keyed answer of D. all of the above is correct. Mr. Hidalgo asked for clarification if more than one corrective action can be taken at one time. Assistant Chief Fant stated that it is a progressive disciplinary system and that it is usually one occurrence at a time. Ms. Special stated that she also questioned the discipline tables listed in the policy manual and the wording utilized, she stated that she agreed that answer D is most appropriate but she could see how the error could be misleading. Officer Dave Olsen approached the commission to explain his appeal. Officer Olsen explained his experience in writing training material and test material for both SAPD and in his previous military career. Officer Olsen pointed out that the word "Action" is underlined and that is why he felt confident that it was intended as a singular therefore the best answer is A. Training and Education. Discussion continued about the format of the question. Ms. Special asked for clarification that what she was hearing is that answers A and D were not the only appropriate answers but rather any of the four could be considered correct, Mr. Hidalgo concurred. Ms. Special moved to accept any of the four answers for question 14 as correct and Mr. Hidalgo seconded the motion. Motion approved unanimously.

Assistant Chief Fant recited question number 19. Assistant Chief Fant then recited the appeal which stated that the question was logically unclear and that no answer provided was correct. The test writer indicated that answer A is the only correct answer and cited the policy manual chart regarding supervisory review however there was some validity in the appeal. Therefore the test writer recommended throwing the question out. Assistant Chief Fant stated that the administration's position was to throw the question out. Mr. Hidalgo agreed that there was not a correct answer indicated. Officer Olsen approached the Commission and stated that Mr. Hidalgo had already stated his same argument. Mr. Hidalgo made the motion to throw the question out and Ms. Special seconded the motion. Motion approved unanimously.

Assistant Chief Fant recited question 21. Assistant Chief Fant also read the test writer's response that the only correct answer to the question was C as it was taken directly from the SAPD policy manual. Assistant Chief Fant stated that the administration's position was the same as the test writer. Assistant Chief Fant proceeded to read the policy from the policy manual. Detective Kelly Lajoie approached the Commission and explained her appeal, she stated that she is consulted over the phone about a lot of the cases but that detectives do not have to go the scene. Detective Lajoie stated that she feels there are exceptions that are not referenced in the question. Ms. Special stated that her initial response is that C is the only correct answer but that she understands that there are always different practices to encompass exceptions. Mr. Hidalgo stated that he felt there were two possible correct answers, B and C. Ms. Special stated that the question was directly taken from the policy almost verbatim. Ms. Special made the motion to go with C as the only correct answer. Mr. Hidalgo addressed Detective Lajoie and stated that her request of no correct answer is not valid. Mr. Lopez stated that he would consider no correct answer if C was not correct. Detective Lajoie again approached the Commission and stated that practice and policy may be aligned in this instance. Mr. Hidalgo asked if there were ever occasions when a suspect is picked up on a warrant and a detective was not called and Detective Lajoie said yes but that is one of the many exceptions related to this policy. Officer Rick Tinsley approached the commission and stated that civil service code allows appeals based on practice versus policy. Assistant Chief Fant stated that the test writer is only able to write tests based on written materials, they cannot possibly be aware of the practices. He also stated that in some instances Detectives wish to be called if their suspect is detained for various reasons. Mr. Hidalgo made the motion accept B and C correct answers and Ms. Special seconded the motion. Motion approved unanimously.

Assistant Chief Fant recited question 22 and then the basis for the appeal. The appeal stated that the question contained three blank line dashes so it was confusing whether or not three answers would be what the test writer was asking for. Assistant Chief Fant stated that the correct answer was B, Shannon Medical Center which fills three spaces. Officer Olsen approached the

Commission and explained his reasoning for his appeal. Ms. Special made the motion to accept B as the sole correct answer and Mr. Hidalgo seconded. Motion passed unanimously.

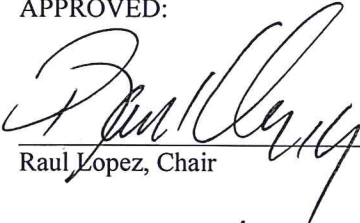
Assistant Chief Fant stated that question number 30's answer was miskeyed and that the correct answer is D. Mr. Hidalgo motioned that answer D is sole correct answer and Ms. Special seconded the motion. Motion passed unanimously.

Assistant Chief Fant recited question 53 regarding prohibited weapons. Assistant Chief Fant stated that the appeal to the question indicted that the use of past tense verbs changes the intent of the question. The test writer stated that the only correct answer is D and that the tense of the verb does not change the intent of the crime. Assistant Chief Fant stated that administration agreed with the test writer's response. Officer Olsen approached the Commission and stated that the law is written in present tense and the way the question is written would be impossible to enforce. Mr. Hidalgo stated that he believed that the use of the past or present tense verbs does not change the intent of the question. Ms. Special stated that the question could be revised but that the intent is implied and she agreed that the answer of the question was valid. Mr. Lopez agreed with both Ms. Special and Mr. Hidalgo. Mr. Lopez made a motion to accept D as the sole answer and Ms. Special seconded the motion. Motion passed unanimously.

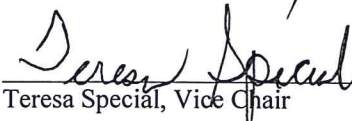
Assistant Chief Fant recited question 66. Assistant Chief Fant read the appeal stating that the question and answers did not match the material provided and requested that answers A and B should be considered correct. Assistant Chief Fant stated that the test writer responded that the correct answer should be D per the answers listed in the book, however administration did not agree with that response. Administration feels that answer B is the only correct answer based on the text. Although the answers are indicated in the text, only answer B is in support and the others are in opposition of the hypothesis. Officer Rick Tinsley stated that he appealed the question because it was very confusing and difficult to understand. Ms. Special stated that this question was very poorly worded and that the question be thrown out or D is the only answer. Officer Brian Gesch stated that he also felt that B was the most appropriate answer. Mr. Hidalgo concurred with the arguments made. Ms. Special made the motion to accept B as the sole answer and Mr. Hidalgo seconded the motion. Motion passed unanimously.

6. Adjournment. Mr. Lopez made a motion to adjourn the meeting at 10:14 a.m. and Ms. Special seconded. Motion passed unanimously.

APPROVED:



Raul Lopez, Chair



Teresa Special, Vice Chair

ATTEST:



Lisa E. Marley, Civil Service Director