

**BOARD RESOLUTION ADOPTING THE COMPLIANCE REVIEW REPORT AND  
FINDINGS BY THE SPB COMPLIANCE REVIEW DIVISION OF  
THE COMMISSION ON TEACHER CREDENTIALING**

**WHEREAS**, the State Personnel Board (SPB or Board) at its duly noticed meeting of November 7, 2013, carefully reviewed and considered the attached Compliance Review Report of the Commission on Teacher Credentialing submitted by SPB's Compliance Review Division.

**WHEREAS**, the Report was prepared following a baseline review of the Commission on Teacher Credentialing's personnel practices. It details the background, scope, and methodology of the review, and the findings and recommendations.

**NOW, THEREFORE, BE IT RESOLVED**, that the Board hereby adopts the Report, including all findings and recommendations contained therein. A true copy of the Report shall be attached to this Board Resolution and the adoption of the Board Resolution shall be reflected in the record of the meeting and the Board's minutes.

  
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SUZANNE M. AMBROSE  
Executive Officer



801 Capitol Mall Sacramento, CA 95814 | [www.spb.ca.gov](http://www.spb.ca.gov)

Governor Edmund G. Brown Jr.

October 30, 2013

Ms. Mary Sandy  
Executive Director  
Commission on Teacher Credentialing  
1900 Capitol Avenue  
Sacramento, CA 95811-4213

RE: Compliance Review Report

Dear Ms. Sandy,

The State Personnel Board (Board or SPB) conducted a baseline compliance review of the Commission on Teacher Credentialing's (CTC's) examinations, appointments, and Equal Employment Opportunity (EEO) program during the period of May 1, 2011 through November 1, 2012. The primary objective of the review was to determine if the CTC's personnel practices, policies, and procedures complied with state civil service laws and board regulations, and to recommend corrective action where deficiencies were identified.

The CTC provided the documents that SPB requested. A cross-section of CTC's examinations and appointments selected for review to ensure that samples of various examinations and appointment types, classifications, and levels were analyzed. The review of the EEO program included examining written policies and procedures, the EEO officer's role and duties, and the internal discrimination complaint process. The SPB also communicated with and asked questions of appropriate CTC staff.

The Compliance Review Division (CRD) found no deficiencies in the CTC's appointments and EEO program. The CRD found one exception in the Commission's examination process. The appointing power must maintain a CEA examination file for a period of three years that includes, but is not limited to, the specific job-related evaluation criteria and selection procedures that were used in the examination; documentation on how those criteria were applied to the candidates and the competitiveness of the candidates qualifications relative to each other; and the

appointing power's rationale for selecting the successful candidate. (Cal. Code Regs., tit. 2, § 548.40).

The CEA examination was given to fill the Director's position in the professional practices unit. The CEA bulletin required the submission of an application and a completed Statement of Qualifications (SOQ) to apply for the position. Six candidates passed the examination. However, the CTC only provided the SOQ and application for the top candidate.

Accordingly, CTC must retain complete CEA examination files for a period of three years after the examination was conducted.

It is therefore recommended that no later than 60 days after the Board's Resolution adopting these findings and recommendations, CTC must draft a policy and train pertinent staff on the CEA examination process of retaining documents for a period of at least three years. CTC must submit to the SPB a written report of compliance with this recommendation.

On September 16, 2013 a telephone conference was held with CTC to explain and discuss the SPB's initial findings and recommendations. On September 27, 2013, the SPB received and carefully reviewed CTC's response which is attached to this final compliance report.

#### DEPARTMENTAL RESPONSE

CTC has recruited a new Office of Human Rights (OHR) Director and a new Associate Personnel Analyst to administer examinations and maintain all pertinent examination material in a centralized location. Further, executive management and the OHR staff have discussed the need for appointing powers to maintain complete CEA files for three years.

#### SPB REPLY

SPB thanks CTC for taking prompt action to prevent this type of deficiency from occurring in the future. However, it is still recommended that CTC comply with the aforementioned recommendations.

Ms. Mary Sandy  
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These findings are being provided to the five member State Personnel Board at its next available meeting for their review. If the Board's agrees with the findings, it shall issue a resolution adopting the recommendations. If the Board does not agree with the findings, it will then issue orders with its own recommendations. In either event, you will be notified of the decision of the Board and any further recommendations it may have. Once the Board has adopted the findings in whole and without further recommendations, the findings will then be posted on our website.

We greatly appreciated the cooperation and assistance provided by CTC personnel. If you have questions, please contact me at (916) 651-0924.

Sincerely,



James L. Murray, Chief  
Compliance Review Division  
State Personnel Board

Attachments



**Commission on Teacher Credentialing**

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Office of Human Resources

September 24, 2013

To: James L. Murray, Chief  
Compliance Review Division  
State Personnel Board

From: Christopher M. Rose, Director  
Office of Human Resources  
Commission on Teacher Credentialing

Subject: RE: Draft Compliance Review Report

This memorandum confirms receipt of the State Personnel Board's (SPB) Draft Compliance Review Report by the Commission on Teacher Credentialing (CTC) and serves as its official response.

The SPB Compliance Review investigated the CTC's examinations, appointments, and Equal Employment Opportunity (EEO) program during the period of May 1, 2011 through November 1, 2012. Its findings revealed one examination deficiency in the Office of Human Resources (OHR). Specifically, examination materials reflecting the Career Executive Assignment (CEA) examination given to fill the Director's position in the Division of Professional Practices failed to include all required documentation. The CEA bulletin required the submission of a completed application and Statement of Qualifications to apply for the position. Although six candidates passed the examination, the OHR only retained an application and Statement of Qualifications for the top candidate.

The CTC has taken immediate and appropriate action to prevent this type of deficiency from occurring in the future. It has recruited a new OHR Director and a new Associate Personnel Analyst to administer examinations and maintain all pertinent examination materials in a centralized location. Examination documents are carefully guarded in a locked cabinet inside the confidential OHR work area. Further, executive management and the OHR staff have discussed the need for appointing powers to maintain CEA examination files for three years that include, but are not limited to, specific job-related evaluation criteria and selection procedures used, documentation of how evaluation criteria are applied to candidates to reflect the competitiveness of candidate qualifications relative to each other, and the appointing power's rationale for selecting the successful candidate.

If you have any questions, please contact Ms. Julie Gillaspay, Associate Personnel Analyst, at (916) 323-5979 or at [jgillaspay@ctc.ca.gov](mailto:jgillaspay@ctc.ca.gov).