

**CITY OF SAN ANTONIO  
INTERDEPARTMENTAL CORRESPONDENCE  
DEVELOPMENT SERVICES DEPARTMENT**

**TO:** Mayor and City Council

**FROM:** Florencio Peña, Director Development Services

**THROUGH:** Terry M. Brechtel, City Manager

**COPY:** Christopher J. Brady, Assistant City Manager, File

**SUBJECT:** Appeal of Electrical Examining and Supervising Boards Action

**DATE:** September 2, 2004

**SUMMARY AND RECOMMENDATIONS**

An ordinance appealing the decision of the Electrical Examining and Supervising Board to refuse to certify the results of the April Master Electrician's examination as requested by Mr. Adam Cardenas Jr., legal council for Olivia Rodriguez, Robert Vela, Jaime Meza, Luis Xavier Galvan, John Gonzalez, Raymond Gutierrez, and Jorge Ramirez. Staff recommends that the examination be certified. The Electrical Examining and Supervising Board recommends the examination not be accepted and certified.

**BACKGROUND INFORMATION**

Prior to June 6, 2004, the Electrical Examining and Supervising Board were charged with reviewing the experience of applicants for electrical license and for administering electrical examinations. Since 1987, the City has contracted with the International Code Council (ICC), a building code making entity, to administer the electrical examination process. As of March 1, 2004, all electrical licensing examinations are administered by the State of Texas.

The appellant's letter of appeal states; "We are appealing the decision of the Electrical Board of June 8, 2004 regarding the certification of the April 2004 Master Examination". Their appeal is based on the fact that an error during the examination occurred. The test consists of 200 questions and 11 questions were disputed due to missing pages in the examination booklet. The ICC gave full credit for the 11 disputed questions.

The master electrician examination is a two-part multiple choice open book/closed book test comprised of 100 questions on each part. The examination question booklets each had the same set of nine page plans attached to address various questions on the examinations. In the process of making the examination booklets the last two pages, number 8 and number 9, of the plans were left out and not attached to the test booklet. This inadvertent omission effected three questions on the Part I open book portion and eight questions on Part II closed book portion of the examination. During the course of the Part I of the examination the omission was discovered

and the proctor advised the applicants regarding the missing pages and to note the omission in their test booklets. During Part II of the examination a similar announcement was made that the same two plan pages were missing from the examination booklets. Several of the examination questions included the plan page number in the question that helped the applicants identify it as a question that could not be answered due to the missing pages. ICC, in grading the examination booklets, took into account that some of the applicants may have spent time looking for question information on the remaining plan pages and lost examination time. Due to this issue ICC gave credit to all the applicants for the 11 total questions totaling 5-½ points credit toward their final grade. City staff met with a representative of ICC and reviewed the examination booklets to ensure no other questions were effected and that the 5-½ points was properly credited to the applicants results.

Twenty-eight applicants took the April master electrician examination of which the above listed seven have contested the results and have requested from the Board a passing score due to the omission of the plan pages. The passing score for the master electrician examination is 75% average of both parts combined (test scores attached). Three individuals had passing scores for an 11% passing rate. The master electrician examination passing rate over the past four years has been as high as 38% and as low as 8%. The three individuals that had a passing score have already been issued a master electricians license by the State. Due to the examination administration controversy posed by this group of applicants, the Board determined that not accepting the results as reported and refunding the initial examination fee of \$150, even though some of the applicants paid a \$75 retest fee, would be the Board's action.

### **POLICY ANALYSIS**

The Council-appointed Electrical Examining and Supervising Board is an eleven member Board charged with ruling on electrical licenses and code interpretations consistent with Council policy to safeguard public health, safety and welfare.

### **FISCAL IMPACT**

If the City Council concurs with the Board the revenue refunded to the applicants will be \$150 for initial examination fee for 28 applicants a total of \$4,200. Twenty-one of the applicants paid \$75 for a retest fee and two of the applicants were City employees with fees paid by their Department. The fee paid by the applicants was \$2,325 a difference of \$1,875 from the Board's action. ICC has stated they will not bill the City for the examinations if they are not accepted and certified by the City.

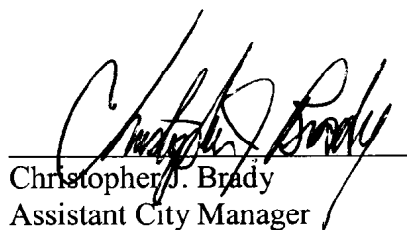
Staff recommends the Master Electrician examination be certified and no refund of fees be made to the applicants.

**COORDINATION**

This issue has been coordinated with the Electrical Examining and Supervising Board and the City Attorney's Office.

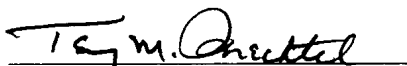


Florencio Peña, Director  
Development Services Department



Christopher J. Brady  
Assistant City Manager

Approved:



Terry M. Brechtel  
City Manager

Development Services Department  
City Council Appeal  
September 2, 2004

San Antonio Master Electrician Examination Scores  
International Code Council  
April 15, 2004

Part I	Part II	Combined Scores
52.00%	48.00%	50.00%
79.00%	71.00%	75.00%
65.00%	63.00%	64.00%
69.00%	67.00%	68.00%
73.00%	60.00%	67.00%
67.00%	72.00%	70.00%
69.00%	55.00%	62.00%
54.00%	42.00%	48.00%
66.00%	61.00%	64.00%
69.00%	58.00%	64.00%
74.00%	74.00%	74.00%
56.00%	61.00%	59.00%
77.00%	71.00%	74.00%
69.00%	63.00%	66.00%
84.00%	69.00%	77.00%
56.00%	51.00%	54.00%
76.00%	65.00%	71.00%
77.00%	71.00%	74.00%
79.00%	66.00%	73.00%
58.00%	56.00%	57.00%
78.00%	77.00%	78.00%
78.00%	70.00%	74.00%
78.00%	65.00%	72.00%
75.00%	68.00%	72.00%
67.00%	58.00%	63.00%
71.00%	65.00%	68.00%
75.00%	68.00%	72.00%
59.00%	56.00%	58.00%