§ 50-a. Test validation boards. Any person who has taken a civil service examination for a position in the competitive class within the jurisdiction of the department of personnel of the city of New York shall have the opportunity to protest any answer or rating guide proposed by the department of personnel to any question on such examination in accordance with the provisions of this section. Such protest must be filed with the city personnel director within the time limits established pursuant to this section, and in the manner set forth in this section. Within a reasonable time after the last date that protests are permitted to be filed pursuant to this section, the city personnel director shall submit all protests filed in connection with an examination to a test validation board which shall consist of one member appointed by the city personnel director, one member appointed by the city personnel director from a list of up to three incumbent employees nominated by the certified employee organization representing employees in the title of the examination in question or if no certified employee organization exists, then nominated by an employee organization recognized by the city personnel director as representing such employees, and one member appointed jointly by the other two members. If there is more than one certified employee organization or more than one recognized employee association, such organizations or associations shall submit jointly a list of three nominees. Within a reasonable period after the date a civil service examination for a position in the competitive class within the jurisdiction of the department of personnel of the city of New York is administered, the department shall make available to candidates the examination questions and proposed key answers or rating guide, as appropriate, prepared by the city personnel director or his or her designee. The candidate's answer sheet shall be made available to them at the beginning of the protest period. Within thirty days from the date that such proposed key answers and/or rating guides are made available to candidates, any candidate wishing to file a protest to one or more key answers or to the rating guide shall submit a completed written protest, together with evidence in support thereof, to the city personnel director. Such protest shall be duly subscribed by the protesting candidate, shall state the date and number of the examination, and the candidate's social security number and the original and four copies shall be submitted. Protests to proposed key answers or

rating guides shall include a statement explaining why the answer selected by the protesting candidate is as good as or better than the proposed key answer or why the rating guide is in error, and any additional evidence the candidate wishes to submit in support of such statement. Within a reasonable time after the last date for filing protests, the test validation board shall make a determination whether the answers selected by the protesting candidates are as good as or better than the proposed key answers or whether the rating guide should be modified and shall give reasons therefor in an opinion in writing. Such determination shall be binding on the city personnel director and shall be made available for review at the department of personnel. Within ten days after the determination is issued, a notice of its availability shall be served upon the protesting candidates by mail. A candidate aggrieved by the determination of the test validation board may file a petition in supreme court pursuant to article seventy-eight of the civil practice law and rules in accordance with subdivision seven of section fifty of this chapter. Such petition must be filed within thirty days after service of the notice of availability of the determination of the test validation board upon the protesting candidate in accordance with the provisions of this section. The city civil service commission shall have no jurisdiction to make determinations with respect to protests to answers or rating guides to civil service examination questions.