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AUDITOR GENERAL

California Legislature

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Letter Report I-0004

Honorable S. Floyd Mori
Chairman, and Members of the
Joint Legislative Audit Committee
Room 4168, State Capitol
Sacramento, California 95814

Dear Mr. Chairman and Members:

In response to a request of the Joint Legislative Audit Committee, we have obtained the Legislative Counsel's opinion regarding potential violation of provisions of the California Public Records Act by the State Personnel Board (SPB). The complainant alleged that the SPB does not inform examinees of their relative standing on civil service employment lists.

Based upon the Legislative Counsel's opinion, we have determined that although the allegation is true, it does not represent a violation of California's Public Records Act. The SPB cannot maintain current data on examinees' relative standing on employment lists after the scores have been released because of variables which affect an individual's relative standing. Therefore, the board's policy is not to release such information after the list has been published.

Because we have found no significant basis upon which to continue this audit, we recommend that the Joint Legislative Audit Committee close the investigation.

Respectfully submitted,

THOMAS W. HAYES
Auditor General

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