

# DEPARTMENT OF DEVELOPMENTAL SERVICES, PORTERVILLE DEVELOPMENTAL CENTER

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## ***Investigations of Improper Activities by State Employees, August 2002 Through January 2003***

ALLEGATION I2002-952 (REPORT I2003-1), APRIL 2003

Department of Developmental Services response as of October 2002<sup>1</sup>

The Department of Developmental Services (department) investigated and substantiated an allegation that the Porterville Developmental Center (center) illegally appointed two individuals to psychologist positions.

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### ***Investigative Highlights . . .***

*Porterville Developmental Center:*

- Failed to verify whether two employees had completed the education requirements for the positions to which they were appointed.*
  - Accepted two additional applications after the final filing date had already passed.*
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### **Finding #1: The center illegally appointed two individuals to psychologist positions.**

In violation of state law, the center appointed two individuals, employee A and employee B, to psychologist positions, even though neither of the individuals met the educational requirements for the position.

Specifically, employee A began working for the center as a psychology intern in October 1999. That position required enrollment in and completion of at least one year of a postgraduate program leading to a doctoral degree in psychology. When employee A applied for the intern position, she projected a completion date of May 2000 for her doctorate. In August 2000, employee A applied for the psychologist position and revised her projected completion date for her degree to September 2000. Although the center appointed employee A to a psychologist position in October 2000, no one verified that she had completed her doctoral degree, even though completion of the degree is required prior to

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<sup>1</sup> Since we report the results of our investigative audits only twice a year, we may receive the status of an auditee's corrective action prior to a report being issued. However, the auditee should report to us monthly until its corrective action has been implemented. As of January 2004, this is the date of the auditee's latest response.

such an appointment. As of July 31, 2002, employee A still had not met the educational requirements for the position she had been working in for nearly two years.

Similar to the situation with employee A, no one at the center verified whether employee B had completed his doctoral degree prior to his appointment as a psychologist.

**Finding #2: Employee A and center employees failed to follow other center hiring procedures.**

On July 28, 2000, a program within the center advertised a vacancy for a psychologist position. As of the August 4, 2000, final filing date, the exams unit had received two applications, one from employee C and one from employee D, which it forwarded to the appropriate program to schedule interviews. Subsequently, a nursing coordinator for the program directly accepted applications from employee A and another employee, employee E. The exam analyst later wrote a note on employee E's application form acknowledging that the employee had changed his mind and decided to apply for the position. Center procedures state that an applicant submitting an application after the final filing date must obtain approval from the center's personnel officer for admission to the interview process.

However, no record indicates that the exams unit was aware that the nursing coordinator also directly accepted an application from employee A. Neither employee A nor the nursing coordinator notified the exams unit of employee A's application; as a result, the exams unit did not find out about the application until after it had interviewed employee A and approved her appointment to the position.

***Center and Department Action: Corrective action taken.***

The department conferred with the State Personnel Board and has taken corrective action by having employees A and B voluntarily transfer to psychology-associate positions. In addition, the center has implemented new procedures to prevent this type of illegal appointment from occurring in the future. The new procedures include a stringent process for review of applicants' credentials by at least three levels of personnel, including two levels at the center and one at the department.