
announced at the discretion of the Director of Education/Superintendent, and a new eligible list is established, the names of eligibles on a former list, which has yet to expire, shall be combined with those on the new list according to final score.

904.407 DOE Competitive Eligibility Lists

DOE Competitive Eligibility Lists shall be established consistent with Rule 904.402 and Rule 904.403 and selections shall be made in accordance with the Merit Career Plan.

904.408 Open Competitive Eligibility Lists

Open competitive eligibility lists shall be established consistent with Rule 904.402 and Rule 904.403.

904.409 Certification of Eligibles

Certification of eligibles shall consist of five [10 for labor/ custodial] or such fewer eligibles as may be available for the class. Eligibles shall be certified in the order that they appear on the eligible list provided that:

- A. eligibles with reappointment rights shall be accorded priority certification.
- B. when the fifth [tenth for Labor/Custodial] eligible to be certified is one of two or more eligibles who have identical examination scores, such two or more eligibles shall be certified notwithstanding the fact that more than five, [10 for Labor/Custodial] persons are thereby certified to fill a vacancy.
- C. for unskilled labor and custodial positions, the top ten eligibles on the eligibility list shall be certified.
- D. in the event one or more eligibles decline or fail to respond to