

- (1) gives the candidate written notice of the reason for the proposed disqualification;
- (2) allows the candidate an opportunity to submit a written response; and
- (3) if the candidate submits a written response, considers the response in deciding whether to disqualify the candidate.

4-302.

(a) Except as otherwise provided in this section, if a request is made under § 4-301 of this subtitle, the Secretary shall certify to the appointing authority:

- (1) the five candidates with the highest standing on the list of eligible candidates for the class in which the position is included; or
- (2) if the list of eligible candidates contains fewer than five candidates, all of the candidates on the list.

(b) If the Secretary has approved a request for selective certification, the names certified under subsection (a) of this section may be limited to candidates who:

- (1) meet the job-related qualifications specified in the request; or
- (2) have indicated availability for the geographic area specified in the request.

(c) (1) If a class is unique to one PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT unit, the DEPARTMENT OR unit shall recruit, examine, [and] OR certify a list of eligible candidates to be considered for appointment to positions in the unique class in accordance with the provisions of this article.

(2) Notwithstanding the provisions of paragraph (1) of this subsection, the HEAD OF THE PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT unit FOR A UNIQUE CLASS may request that the Department recruit, examine, [and] OR certify a list of eligible candidates for any of its unique classes.

(3) (i) The individual in the PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT unit FOR A UNIQUE CLASS certifying the list shall certify that the list was prepared in accordance with the provisions of this article.

(ii) If a list prepared by a PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT unit FOR A UNIQUE CLASS is found not in accordance with the provisions of this title:

1. the individual who certified the list shall be subject to appropriate disciplinary action; and
2. the PRINCIPAL DEPARTMENT OR OTHER INDEPENDENT unit FOR A UNIQUE CLASS shall be subject to revocation of the authority to recruit, examine, and certify candidates for appointment.