



Denton Fire Department Fire Lieutenant Promotional Test Appeal

APPEAL OF EXAMINATION QUESTION

INSTRUCTIONS: Please complete one form for each question you wish to appeal. State clearly what you believe is wrong with the question and provide a reason for your belief. The posted source material is the guide for the accuracy of any question or answer. Please type, print or write legibly. If additional space is needed, go to the bottom of this page.

EXAMINATION TITLE: **Fire Lieutenant**

TEST QUESTION # APPEALED: 40

EXAMINATION DATE: **March 5, 2026**

DEPARTMENT ADMINISTERING EXAM: **Fire**

General nature of objection: (Check one of the following and explain fully below.)

- The keyed answer _____ is not correct. Answer _____ is the correct answer and should be allowed for credit instead of the keyed answer.
- Another answer, D is correct in addition to the keyed answer. Both answers should be graded correct.
- The question is faulty because there is no correct answer among the choices. All answers should be graded correct.

Reason(s) supporting your appeal: (If appropriate, give the page number of the source that supports your claim.)

THE FIRE CAUSE DETERMINATION PROCESS IS WHAT GIVES FIRE INVESTIGATORS THE LEGAL AUTHORITY TO ENTER THE PROPERTY OF AN INDIVIDUAL WITHOUT VIOLATING PERSONAL RIGHTS. WITHOUT THIS LEGAL AUTHORITY, ANY EVIDENCE FOUND OR SEIZED WOULD BE INADMISSIBLE. IT IS AFTER THE LEGAL ENTRY THAT THE PLAIN VIEW DOCTRINE TAKES EFFECT. BOTH THE LEGAL ENTRY TO DETERMINE THE FIRE CAUSE, AND THE ABILITY GIVEN BY THE PLAIN VIEW DOCTRINE ARE EQUALLY IMPORTANT FOR THE COLLECTION OF EVIDENCE.

Denton Fire Department Lieutenant Exam Appeals 2026

The following questions are from ***Fire Officer: Principles and Practice***

40. The _____ allows for potential evidence to be seized during the processing of a fire scene.

- a. plain view doctrine
- b. search and seizure provision
- c. 1st amendment
- d. fire cause determination process

Answer key: (a) Pg 185

Appeals: 1

Department Response: Sustain the key. Answer is verbatim from text on page 185. The appellant states the fire cause determination process gives the investigator legal authority to enter the property and without this authority evidence would be legally inadmissible. However, the “fire cause determination process” is not mentioned in the text. The text specifically states, “The plain view doctrine allows for potential evidence to be seized during the processing of a fire scene, if the investigator had a legal right to be there and the evidence is in plain view.”



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EXAMINATION TITLE: **Fire Lieutenant**

TEST QUESTION # APPEALED: 65

EXAMINATION DATE: **March 5, 2026**

DEPARTMENT ADMINISTERING EXAM: **Fire**

General nature of objection: (Check one of the following and explain fully below.)

- The keyed answer _____ is not correct. Answer _____ is the correct answer and should be allowed for credit instead of the keyed answer.
- Another answer, A is correct in addition to the keyed answer. Both answers should be graded correct.
- The question is faulty because there is no correct answer among the choices. All answers should be graded correct.

Reason(s) supporting your appeal: (If appropriate, give the page number of the source that supports your claim.)

- For question 65 - Answer A is correct & should be excepted along with the keyed answer.
- Question 65) The rationale underlying the exhaustion of remedies doctrine is:
 - A) To prevent litigants from taking detours around administrative steps by going directly to court.
 - C) To encourage the use of administrative options.
 - D) Both answers A & C are correct.

Pg 79 - Exhaustion of remedies doctrine is a legal principle that requires a party who has a administrative remedy available to seek relief through Admin. remedy first. before proceeding to court.

It further states -

It requires a court to dismiss a lawsuit if the party bringing the action fails to utilize an available administrative tribunal to hear the case first.

Pg 80 - where the answer comes from

The rationale underlying the exhaustion of remedies doctrine is to encourage the use of Administrative options, & prevent litigants from taking detours.

Requires - is used 2 times on pg 79

Requires means to formally demand/order someone to do something

Encourage - to give support, confidence, or encourage someone, & stimulate an activity or process.

- If I require you to do something, I am not encouraging you to do something else.

Pg 79 - Even states. It requires a court to dismiss a lawsuit.

Do to the wording on page 79 verses the wording on Pg 80 - Answer A should also be accepted.

The following questions are from Legal Considerations for Fire and Emergency Services

65. The rationale underlying the exhaustion of remedies doctrine is:

- a. to prevent litigants from taking detours around administrative steps by going directly to court.
- b. to ensure that no matter can be appealed once a remedy is applied.
- c. to encourage the use of administrative options.
- d. both answers a. and c. are correct

Answer key: (d) Pg 80

Appeals: 1

Department Response: **Sustain the key.** Answer is verbatim from text on page 80. The appellant explains why A should be accepted as a correct answer. Since the answer is D, which states both answers A and C are correct, then answer A is inherently already a correct answer...as is C, which is why D is the best answer choice.



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EXAMINATION TITLE: **Fire Lieutenant**

TEST QUESTION # APPEALED: 94

EXAMINATION DATE: **March 5, 2026**

DEPARTMENT ADMINISTERING EXAM: **Fire**

General nature of objection: (Check one of the following and explain fully below.)

- The keyed answer _____ is not correct. Answer _____ is the correct answer and should be allowed for credit instead of the keyed answer.
- Another answer, B is correct in addition to the keyed answer. Both answers should be graded correct.
- The question is faulty because there is no correct answer among the choices. All answers should be graded correct.

Reason(s) supporting your appeal: (If appropriate, give the page number of the source that supports your claim.)

PA. 25, 52, AND 449 "CALORIC VALUE IS DEFINED AS

" THE AMOUNT OF HEAT REQUIRED TO RAISE ONE POUND OF WATER ONE DEGREE FAHRENHEIT "

QUESTION IS CONFUSING SINCE "BTU" IS THE UNIT OF MEASUREMENT FOR CALORIE.

PA. 25 " THE BASIC MEASUREMENT FOR CALORIC VALUE IS THE BTU, THE AMOUNT OF HEAT REQUIRED TO RAISE A POUND OF WATER ONE DEGREE FAHRENHEIT. "

The following questions are from Brannigan's Building Construction for the Fire Service

94. A _____ is the amount of heat required to raise a pound of water one degree Fahrenheit.

- a. British Thermal Unit
- b. Calorie
- c. Kelvin
- d. Centigrade

Answer key: (a) Pg 25

Appeals: 1

Department Response: **Sustain the key.** Answer is verbatim from text on page 25. The appellant states, "Question is confusing since 'BTU' is the unit of measurement for calorie." However, the text states, "The basic measurement of *caloric value* is the Btu (British thermal unit), the amount of heat required to raise a pound of water one degree Fahrenheit." While the "calorie" is also a unit of measurement, it is not referenced or applicable since the context of the section is *caloric value* of combustible materials. Also, a *calorie* is part of the metric system and is the energy needed to raise the temperature of a gram of water by one degree Celsius. It is possible the appellant confused calorie with caloric value.