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**RULES AND REGULATIONS OF THE:**

Board of Fire and Police Commissioners  
Village of Schaumburg  
State of Illinois

ADOPTED: **July 5, 2019**

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# **RULES AND REGULATIONS OF THE BOARD OF FIRE AND POLICE COMMISSIONERS**

VILLAGE OF SCHAUMBURG  
STATE OF ILLINOIS

As adopted by the Board of Fire and Police Commissioners of the Village of Schaumburg, Illinois, effective October 20, 2016.

## **CHAPTER I - ADMINISTRATION**

### **SECTION 1 - SOURCE OF AUTHORITY**

The Board of Fire and Police Commissioners of the Village of Schaumburg, Illinois derives its power and authority from an Act of the General Assembly entitled, "Division 2.1 Board of Fire and Police Commissioners", of [Chapter 65 of the Illinois Compiled Statutes](#), and [Ordinances of the Village of Schaumburg](#).

### **SECTION 2 - DEFINITIONS**

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the Village of Schaumburg, Illinois. The word "Officer" shall mean any person holding a sworn position in the Police or Fire Department of the Village of Schaumburg, Illinois. Village Ordinance shall mean Village of Schaumburg ordinances. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

### **SECTION 3 - OFFICERS OF BOARD AND THEIR DUTIES**

The Board shall annually, at its first meeting in April elect a Chairman and appoint a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary shall keep the minutes of all meetings of the Board in a permanent record and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board as the state's Records Retention Act and Open Meetings Act requires.

## SECTION 4 - MEETINGS

- A. Regular meetings shall be held monthly or as needed.
- B. Special meetings shall be called by the filing of a notice in writing with the Secretary of the Board either by the Chairman of the Board or any two members thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meeting, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting unless allowed by the Open Meetings Act.
- C. During any regular or special meeting a closed session may be held upon a proper motion made by any single member of the Board for any lawful purpose allowed under State law. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session. An audio or video record of each closed session will be maintained by the Secretary of the Board and shall be disposed of in accordance with the provisions of all relevant Illinois State Statutes
- D. Public notice and agendas of any regularly scheduled or special meeting shall be held in accordance with the provisions of all relevant Illinois State Statutes
- E. If a quorum of the members of the Board is physically present, a majority of the Commissioners may allow a Commissioner to attend the meeting by other means if the Commissioner is prevented from physically attending because of: (i) personal illness or disability; (ii) employment purposes or the business of the Board; or (iii) a family or other emergency. "Other means" is by video or audio conference. If a member wishes to attend a meeting by other means, the member must notify the recording secretary or clerk of the public body before the meeting unless advance notice is impractical.
- F. Any person wishing to speak at a public meeting of the Board shall be allowed to address the Board when the agenda item *Comments from the Audience* is reached. Any participation will be allowed subject to the following rules:
  - a. Speaker will sign-in prior to the meeting
  - b. Chair will recognize the speaker
  - c. Speakers must identify themselves and may only speak once
  - d. Speaker comments must be relevant to the public body being addressed
  - e. Speaker will be barred from repetitive comments
  - f. Speaker will be cut off if uncivil, abusive, profane, or personal attacks made

- g. Total comment time for any one person is three minutes unless the Chair extends the time
- h. Chair will preserve order and decorum and Chair reserves the right to halt or suspend the public meeting to a later date if the rules are not being followed

Public Hearings will be conducted in accord with state and case law allowing for additional participation by the public.

## **SECTION 5 - QUORUM**

A majority of the members of the Board shall constitute a quorum for the conduct of all business.

## **SECTION 6 - ORDER OF BUSINESS**

Business will be conducted in an order to be determined by the Chairman of the Board of Fire and Police Commissioners.

## **SECTION 7 - PROCEDURE**

The parliamentary procedure prescribed in Robert's "Rules of Order" shall be followed as far as applicable.

## **SECTION 8 - AMENDMENTS**

Amendments to the rules of the Board may be made at any meeting of the Board. All amendments shall forthwith be made available upon request and notice shall be given of the place or places where said rules may be obtained. Such notice shall be published in accordance with State Statutes and Village Ordinances.

## **SECTION 9 - ANNUAL REPORT AND BUDGET REQUEST**

The Board shall submit an Annual Report of its activities as required by the [Board of Fire and Police Commissioners Act](#), and a Budget Request for the ensuing year.

## **CHAPTER II – ORIGINAL APPOINTMENT APPLICATIONS**

### **SECTION 1 - RESIDENCE**

Applicants for examination must be citizens of the United States.

### **SECTION 2 – APPLICATION PROCESS**

Applications for positions shall be filed through the Village of Schaumburg [website](#) and applicants must comply with all requirements of the application.

All applicants shall furnish a copy of their Military Service Record, Discharge Papers, Social Security Card, Birth Certificate, certifications, College or University Degree and, if requested, a copy of a certified transcript of their course work from an accredited College or University at the time of the application.

Firefighter applicants shall also furnish a copy of their valid Candidate Physical Ability Test (CPAT) certification at the time of application with a date no more than one year old.

Police Officer Applicants must provide a copy of their current and valid Police Officer Wellness Evaluation Report (POWER) test certification card issued within ninety (90) days immediately preceding the date of written exam. A copy of the POWER test certification card must be provided at written exam check-in.

A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination.

### **SECTION 3 - DISQUALIFICATION**

The Board may refuse to examine an applicant or, after examination, to consider him/her based on the following:

- A. Who is found lacking in any of the established preliminary requirements for the service for which he or she applies.
- B. Who is physically unable to perform the duties of the position to which he or she seeks appointment.
- C. Who is addicted to the use of drugs or intoxicating beverages or is found to have taken, sold or used drugs and/or narcotics illegally.
- D. Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in of the [Board of Fire and Police Commissioners Act](#).

- E. Who has been dismissed from any public service for *just cause*.
- F. Who has attempted to practice any deception or fraud in his or her application. A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, including the interview.
- G. Who may be found disqualified in personal qualifications or health.
- H. Whose character and employment references are unsatisfactory.
- I. Who, if applying for a position as a firefighter or firefighter/paramedic, does not possess a Candidate Physical Ability Test (CPAT) certificate at time of application and time of job offer.
- J. Who, if applying for a position as a police officer, does not possess a Peace Officer Wellness Evaluation Report (POWER) test certification must provide a copy of their current and valid Police Officer Wellness Evaluation Report (POWER) test certification card issued within ninety (90) days immediately preceding the date of written exam. A copy of the POWER test certification card must be provided at written exam check-in.
- K. Who has applied for a position as a police officer and is or has been classified by his or her Local Selective Service Draft Board as a conscientious objector.
- L. Who, if applying for a position as a police officer, does not possess a Bachelor's Degree from an accredited College or University.
- M. Who, if applying for a position as a firefighter/paramedic, does not possess an Associate's Degree or a Bachelor's Degree from an accredited junior or Community College or an accredited College or University.
- N. Who in the judgement of the commission has not successfully completed the examinations described in Chapter III.

Any applicant deemed disqualified hereunder, shall be notified by the Board.

#### **SECTION 4 – DEFECTIVE APPLICATIONS**

At the discretion of the Board, defective applications can be returned for correction, or the applicant can be disqualified

#### **SECTION 5 - AGE REQUIREMENTS**

Applicants shall be under 35 years of age, at the time of application and at such time as the final eligibility list is posted, unless exempt from such age limitation as provided in Section 5/10-2.1-6 of the Fire and Police Commissioner's Act. Applicants, at such time as they file their application with this board, must be 21 years of age. Proof of birth date will be required at time of application.

## **SECTION 6 – EDUCATIONAL REQUIREMENTS**

The following educational requirements apply only to Police Officer applicants:

Applicants must have obtained a Bachelor’s Degree from an accredited college or university at the time of the written exam. Evidence of such (official transcript) must be provided when requested by the Board.

The following educational requirements apply only to Firefighter applicants:

Applicants must have obtained either an Associate’s Degree or a Bachelor’s Degree from an accredited college or university at the time of the written exam. Evidence of such (official transcript) must be provided when requested by the Board.

## **SECTION 7 - MEETING ALL REQUIREMENTS**

Candidates prior to original appointment must satisfy all requirements contained in these rules and any relevant Ordinance of the Village of Schaumburg. The Board may ask that proof of successful fulfillment of any requirement contained herein or any relevant Ordinance of the Village of Schaumburg or State Statute be provided at any time during the application, testing, or appointment process. The determination of when proof will be provided and the nature of the proof required rest solely with the Board. The responsibility of providing proof rests solely with the applicant.

## **CHAPTER III – ORIGINAL APPOINTMENTS EXAMINATIONS**

### **SECTION 1 - NOTICE OF EXAMINATIONS**

Examinations shall be held on the dates fixed by the Board in accordance with the [Statutes of the State of Illinois](#) and the [Ordinances of the Village](#). Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for the examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

### **SECTION 2 - EXAMINATIONS**

The Board shall conduct examinations to develop eligibility lists to fill vacancies for Firefighters or Police Officers. Eligibility lists shall be maintained and examinations shall be conducted in accordance with these rules, relevant State Statutes and Village Ordinances. A call for an examination shall be recorded in the minutes of the Board and shall include a statement of:

- A. The time and place where the examination will be held.
- B. The location where applications may be obtained and the date by which applications must be submitted to the Board.
- C. The position to be filled from the resulting eligibility list.



### SECTION 3 - TYPE OF EXAMINATIONS

Applicants may be required to participate in or show proof of successful completion of a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth in Section 4 below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

### SECTION 4 – EXAMINATION PROCESS COMPONENTS

The following examinations may be conducted by the Board. The components and sequence of testing may vary at the discretion of the Board. Failure to successfully complete any examination disqualifies the applicant from any further participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100. The Board, at its discretion, may employ third parties to conduct any of the examinations administered pursuant to these rules.

<b>Examinations</b>	<b>Percent of Total Grade</b>	<b>Minimum Passing</b>
Candidate Physical Aptitude Test Plus (CPAT-Plus)	-	Firefighter candidates, at the time of application must provide current certification that he or she has successfully passed the Candidate Physical Ability Test Plus (CPAT – Plus), as licensed and approved by the International Association of Firefighters and shall have a date not to exceed one year.
Peace Officer Wellness Evaluation Report (POWER) certification		All Police Officer Applicants must provide a copy of their current and valid Police Officer Wellness Evaluation Report (POWER) test certification card issued within ninety (90) days immediately preceding the date of written exam. A copy of the POWER test certification card must be provided at written exam check-in.
Written test	60%	To be announced by the Board prior to conducting the examination and may vary based upon the examination or third party employed by the Board.
Personality Assessment		Administered by the Human Resources Department.
Oral Test (Interview)	40%	To be announced by the Board prior to conducting the examination and may vary based upon the examination or third party employed by the Board.
Polygraph Test	-	Successfully Complete
Background Investigation	-	Successfully Complete

<b>Conditional Offer of Employment</b>		
Psychological	-	Successfully Complete
Medical Examination	-	Successfully Complete

Note: To any person who is entitled to military, educational or law enforcement preference points whose name appears on the Initial Eligibility Register, the Board shall add five (5) points in accordance with the Board of Fire and Police Commissioners Act upon request of applicant and submission of proof that the applicant is entitled to the preference points. Such preference points shall not be cumulative. Firefighter/paramedic preference points shall be awarded in accordance with the [Board of Fire and Police Commissioners Act](#).

## **SECTION 5 - ORIGINAL APPOINTMENT: CANDIDATE PHYSICAL ABILITY TEST (CPAT) AND PEACE OFFICER WELLNESS EVALUATION (POWER) CERTIFICATION**

All Firefighter applicants are required to present proof of CPAT (Candidate Physical Ability Test) certification. Plus proof of such certification must be presented to the Board at time of interview and again at time of job offer.

All Police Officer Applicants must provide a copy of their current and valid Police Officer Wellness Evaluation Report (POWER) test certification card issued within ninety (90) days immediately preceding the date of written exam. A copy of the POWER test certification card must be provided at written exam check-in.

## **SECTION 6 - ORIGINAL APPOINTMENT: WRITTEN EXAMINATIONS**

All examination papers shall be and remain the property of the Board and employed third parties, and the grading thereof by the Board and employed third parties shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.

## **SECTION 7 - ORIGINAL APPOINTMENT: ORAL EXAMINATION**

All Commissioners shall participate in the Oral Examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his or her attendance. In no event shall less than a majority of the Commissioners conduct the Oral Examination. Questions shall be asked of the candidate that will enable the Commissioners to properly evaluate and grade the candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position.

## **SECTION 8 – PRELIMINARY AND INITIAL ELIGIBILITY REGISTERS: POLICE OFFICER**

The Commissioners will prepare a Preliminary Eligibility Register of the candidates successfully completing a physical ability test and written test. Candidates shall be placed on an Initial Eligibility Register in order of their relative excellence as determined by their test scores.

- A. This Register is subject to change with the addition of any claimed preference points as prescribed in these Rules and the Act. Candidates who are eligible for any preference points, shall make a claim in writing with proof thereof within ten (10) days after the date of the first posting of the Preliminary Eligibility Register or such claim shall be deemed waived.
- B. A dated copy of the Preliminary Eligibility Register, duly adjusted with preference points awarded, shall be posted on the village's website and notification made to each person at their last known email address whose name appears on the Register.

- C. A candidate's name shall be stricken from a Preliminary Eligibility Register or a subsequent Initial Register after the name has been on these eligibility registers for a period greater than two (2) years.
- D. Any candidate who is not currently an Illinois Certified Police Officer must demonstrate their physical ability to successfully enter into any Illinois Certified police academy by meeting the requirements of the Illinois Law Enforcement Training and Standards Board and passing the Peace Officer Wellness Evaluation Report (POWER) test. These applicants must provide a copy of a current and valid POWER test certification issued no later than 12 months of the date of any conditional offer of employment. The POWER test certification is to be obtained through organizations that offer the testing in the manner accepted by Illinois Training Academies. Any costs associated with the POWER test certification will be at the expense of the applicant.

## **SECTION 9 –FINAL ELIGIBILITY REGISTER: POLICE OFFICER.**

- A. Final appointment for the Police department shall be from the names appearing on the “Final Eligibility Register.” The Board shall select a number of candidates from the top of the Preliminary Eligibility Register, that has been duly adjusted for preference points awarded, who shall be required to submit to an oral interview to be conducted by the Board and, if successful, whose names will be included on the “Final Eligibility Register”. The Board will select the candidates for the Final Eligibility Register from the duly adjusted Preliminary Eligibility Register in order of their relative excellence. However, the Board has the authority to include in the number of candidates selected for interview, any candidates that have been awarded a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the [Illinois Police Training Act](#), and/or are Illinois certified police officers, no matter where their name may appear on the duly adjusted Preliminary Eligibility Register.
- B. The names of the interviewed applicants shall be placed upon the “Final Eligibility Register” in rank order, highest first. Rank order shall be based upon the applicant's total cumulative score which shall be calculated as follows:
  - a. Original written test score multiplied by 60% and
  - b. Plus preference points awarded.
  - c. Oral interview score multiplied by 40%
- C. In the event a “Final Eligibility Register” is exhausted prior to the expiration of the “Preliminary Eligibility Register”, the Board may establish another “Final Eligibility Register” in accordance with subsections a. b. and c. above.

- D. Applicants shall be appointed from the Final Eligibility Register in descending order. Notwithstanding anything to the contrary contained within these rules and regulations, the Board may, at its discretion, choose to appoint an applicant who has been awarded a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the [Illinois Police Training Act](#), ahead of other applicants.
- E. Appointment from the Final Eligibility Register will be made with a conditional offer of employment. The conditional offer of employment is subject to the Board's determination that the candidate has satisfactorily passed and/or completed an in-depth psychological examination, a polygraph test, background investigation, and a thorough medical examination (which may include a test of the applicant's vision and hearing, a test for the presence of communicable disease, a test to screen for the use of drugs and/or narcotics, as well as any additional tests deemed appropriate), including valid POWER test certification. If a candidate declines a conditional offer of appointment, the candidate's name will be stricken from the list.

#### **SECTION 10 – PRELIMINARY ELIGIBILITY REGISTER: FIREFIGHTERS**

- A. The Commissioners will prepare a "Preliminary Eligibility Register" of the candidates who passed the written test. Candidates shall be placed on the Preliminary Eligibility Register in the order of their relative excellence as determined by their written test scores.
- B. All candidates name shall be stricken from eligibility registers after their names have been on the "Preliminary Eligibility Register" for a period exceeding two (2) years.

#### **SECTION 11 – INITIAL ELIGIBILITY REGISTER: FIREFIGHTERS**

- A. The Board shall select a number of candidates from the top of the "Preliminary Eligibility Register" who shall be required to submit to an oral interview with the Board.
- B. After the selected candidates' interviews, the Board will prepare a "Initial Eligibility Register" by adding to each candidates score on the "Initial Eligibility Register" each candidates score from the oral interview.
- C. The Board shall post this "Initial Eligibility Register" in accordance with the [Board of Fire and Police Commissioners Act](#) and [Village Ordinances](#).
- D. Each candidate whose name appears on the "Initial Eligibility Register" shall be given ten days to claim their preference points. Applicants shall be appointed from the Final Eligibility List in descending order. Prior to receiving a conditional offer of employment, a prospective candidate must possess a valid CPAT (Candidate Physical Ability Test) (less than 1 year old).

## **SECTION 12 – FINAL ELIGIBILITY REGISTER: FIREFIGHTERS**

- A. After the period for claiming preference points has expired, the Board will prepare a “Final Eligibility Register” by adding to each candidate’s score on the “Initial Eligibility Register” preference points claimed by the candidate.
- B. The names of the applicants shall be placed upon the “Final Eligibility Register” in rank order, highest first. The scored examinations shall be based upon a scale of 1 to 100. Rank order shall be based upon the applicant’s total cumulative score which shall be calculated as follows:
  - a. Original written test score multiplied by 60%; and,
  - b. Preference Points, and
  - c. Oral interview score multiplied by 40%
- C. Appointment for the Fire Department shall be from the names appearing on the “Final Eligibility Register” in descending numeric order.
- D. In the event a “Final Eligibility Register” is exhausted prior to the expiration of the “Preliminary Eligibility Register,” the Board may establish another “Final Eligibility Register” in accordance with subsections a. and b. above. Names will be stricken from all Eligibility Registers after the names have appeared on the original “Preliminary Eligibility Register” in excess of two years.

## SECTION 13 – PREFERENCE POINTS: FIREFIGHTER

- A. Within ten (10) days after the posting of the “Initial Eligibility Register”, applicants, whose names appear thereon, shall make a claim for preference points. Failure to timely make a claim for preference points shall constitute a waiver thereof. Preference points shall be awarded as follows:
- a. Military Preference – 5 points. Awarded to applicants who have served a minimum of 12 months on active duty in the service of the U.S. Military and who have either been honorably discharged or, in lieu of an honorable discharge, are still serving in an active or inactive reserve status.
  - b. Fire Cadet Training – none.
  - c. Education Preference – none.
  - d. Paramedic Preference – 5 points. Applicants must be licensed as an EMT-P at the time of application
  - e. Experience Points – none.
  - f. Residency Points – none.
  - g. Additional Points – 5 points. Applicants must be certified as a Firefighter by a recognized state certification office at the time of application.
- B. Applicants shall be appointed from the Final Eligibility Register in descending order. Notwithstanding anything to the contrary contained herein, the Commission, at its discretion, may bypass a higher ranking candidate and appoint a lower ranking candidate if, in the Commission’s opinion, the lower ranking candidate is more qualified for the position and that candidate’s name appears within the top 5% of the names remaining on the list or, if there is less than 100 names remaining on the list, the applicant’s name is within the top 5 names remaining on the list.”
- C. Appointment from the Final Eligibility Register is subject to satisfactorily passing or completing an in-depth psychological examination, a polygraph test, background investigation, and a thorough medical examination (which may include a test of the applicant’s vision and hearing, a test for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). A conditional offer of employment shall be made prior to an applicant submitting to the in-depth psychological examination and the medical exam. A candidate may decline an offer of original appointment once. Should a candidate choose to decline a second offer of appointment, the candidate’s name, at the option of the Commission, may be stricken from the list.

## SECTION 14 - PROFESSIONAL EXAMINATIONS AND TESTS

- A. Each applicant for original appointment shall be required to submit to a Psychological Examination by the licensed psychologist or psychiatrist as the Board may designate. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate him/her from further consideration.
- B. Any applicant for original appointment to the Police or Fire Department of the Village of Schaumburg, Illinois, may be required to submit to a Polygraph Device Deceptive Test at such time and place as the Board may designate. Such test shall be given without expense to the applicant. The polygraph consists of an initial interview, the instrument section, and a follow up—interview if deception is detected. Failure of the applicant to successfully complete such test shall disqualify the applicant.
- C. Medical Examinations shall be performed by a licensed physician.

## SECTION 15 - PROBATIONARY APPOINTMENT

- A. All vacancies in the Police or Fire Department shall be filled by individuals from the Primary Eligibility Registers in the order in which their names appear on the register and having met all requirements previously listed. Pursuant to the [Board of Fire and Police Commissioners Act](#), the Board may choose to appoint certified police officer applicants ahead of non-certified applicants.
- B. All original appointments to the police department shall be for a probationary period of twelve (12) months. Non-certified applicants shall be on probation for twelve (12) months after successful completion of the basic law enforcement training course. The probationary period is for 12 months from the date of hire for certified officers, and 12 months from successful completion of the basic academy for non-certified officers. All original appointments to the fire department shall be for a probationary period of twelve (12) months. The probationary period of a newly appointed firefighter/firefighter paramedic will commence when the firefighter/firefighter paramedic is sworn in. A probationary period may be tolled for those periods of time the probationary employee is unable or unavailable to perform his or her assigned duties due to required training or due to injury or illness (whether or not job related) if such periods of absence exceed 30 days.
- C. Any person whose name appears on the Fire Initial or Final Eligibility Register may decline appointment once. It shall be the option of the Board, should a candidate decline appointment a second time, to strike from or maintain upon the register the name of such candidate without otherwise altering the candidate's original position on the Initial or Final Eligibility Register.



## **CHAPTER IV - POLICE OFFICER LATERAL ENTRY APPOINTMENTS**

The Board shall provide for a police officer lateral entry program, which shall comply with requirements as outlined in this Chapter, other appropriate Chapters of these Rules and Regulations, and as prescribed by the Village of Schaumburg Municipal Code.

### **SECTION 1 – SOURCE OF AUTHORITY**

Pursuant to the Village's home rule authority and the Village of Schaumburg Municipal Code, the Board may waive portions of the required examination for police applicants who are currently a full-time sworn officer in any municipal, county, university, State, or Federal law enforcement agency, provided they are certified or have the ability to be certified by the Illinois Law Enforcement Training and Standards Board (ILETSB) without having to complete the Minimum Standards Course and have been previously employed as a law enforcement officer within the last two years.

### **SECTION 2 – APPLICATION FOR LATERAL ENTRY**

Applications for lateral entry positions shall be filed electronically with the Village of Schaumburg and applicants must comply with the requirements as follows:

- Applicants for Lateral Entry shall have been awarded a certificate attesting to their successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act. Evidence of such shall be attached to the application and will be subject to final approval and waiver by ILETSB.
- Applicants must show evidence that they are a US Citizen.
- Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the essential job functions of the position.
- Applicants must speak and understand English language sufficiently in order to discharge the duties of police officer for the Village of Schaumburg.
- The applicant shall furnish with their application a copy of their Birth Certificate.
- If applicable, the applicant shall furnish any Military Service Records, including Discharge Papers (DD Form 214).
- Applicants shall also provide a certified copy of their Bachelor's Degree from an accredited college or university along with a certified copy of their transcripts.

The burden of establishing these facts rests upon the applicant. Any false statements, misrepresentations, or omissions, knowingly made by a person in an application for examination, connivance in any false statement made in any certificate, which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the process and bar to employment.

### **SECTION 3 – AGE REQUIREMENTS**

Applicants shall be within the age requirements required under Village Ordinance at the time of application.

### **SECTION 4 – NOTICE**

A position announcement advertising the process will be placed a minimum of three (3) weeks prior to the scheduled testing process. Basic requirements and contact information will be provided in the position announcements. The Village of Schaumburg shall continue to focus on recruiting the most qualified applicants with an emphasis on the Department’s diversified hiring practices.

### **SECTION 5 –HIRING PROCESS**

Upon the request of the Village Manager, the Commission appointments to the position of Police Officer shall be made through lateral appointment. The lateral appointment procedure includes the following phases:

- (a.) Completion of an employment application to the Village of Schaumburg (electronic),
- (b.) A pre-screening of applicant,
- (c.) Interview
- (d.) Polygraph,
- (e.) Character background investigation,
- (f.) Post offer examinations including but not limited to: psychological evaluation, medical examination to include vision screening and drug screening.

Each Candidate must successfully complete each phase of the process to proceed to the next.

## **SECTION 6 – LATERAL ENTRY ELIGIBILITY LIST**

- A. The Board shall prepare a police officer lateral entry eligibility list at such time as a written request from the Village Manager for the testing process and resulting lateral entry eligibility list is received by the Board. The list will be active for twelve (12) months before being recreated, and may be extended with Board approval. Candidates may reapply annually. This list will be used in parallel to the eligibility list of candidates identified in Chapter III of these Rules. Candidates can be on both lists Applicants will be rank ordered on the list based on interview scores. No additions will be made to the list during the year.

The list will be developed as follows:

- The first forty-five (45) candidates who properly complete an application, as determined by the Board, will be advanced in the process and required to take a pre-screening test within a specified time period as determined by the Board.
  - Those candidates that pass the pre-screening test will be interviewed by the Board and a rank order list developed based on the individual interview scores of each candidate plus any applicable preference points.
- B. The Candidate must be an active full-time police officer for a minimum of 12 months in another Illinois law enforcement agency to apply.
- C. Candidates must meet the requirements of application as stated in Section 2 - application for lateral entry within this Chapter.
- D. The Board will automatically add any Board verified preference points applicable to a lateral entry candidate's score prior to placement on the eligibility list as required by law.
- E. A dated copy of the lateral entry eligibility list will be posted on the Village website.

## **SECTION 7 – PREFERENCE POINTS**

Under §10-2.1-8 and §10-2.1-9 of the Act, any applicant who qualifies, or is otherwise entitled to military preference points shall be awarded five (5) points to their final score.

## **SECTION 8 – SELECTION**

- A. When the Board receives a written request for appointment, the request will identify which list the candidate should be selected from.
- B. In the case of a lateral entry candidate, a conditional offer of employment shall be made only to the most qualified candidate of the top five candidates on the lateral transfer eligibility list, but not necessarily the first person on the list, as determined by the Board, considering the oral interview, background investigation, the results of other tests and a recommendation from the Chief of Police or his designee, based upon the Chief's evaluation of the following relevant qualifications at a minimum:
  - 1. Law enforcement experience;
  - 2. Law enforcement training beyond the Basic Law Enforcement Course;
  - 3. Training and experience in specialty law enforcement functions;
- C. If a conditional offer of employment is extended, a lateral entry applicant must pass a psychological examination, and a thorough medical examination (which shall include a drug screen and tests of the applicant's vision and hearing). Such examinations shall be without expense to the applicant. Examinations will be administered, scored, evaluated and interpreted in a uniform manner. No examinations shall contain questions regarding applicant's political or religious opinions or affiliations.
- D. The Board may strike from either list of eligibles, any candidate who fails to meet the standards set forth for original entry. In addition, any person who is discovered to have made false representation in any document or examination or who aids in committing such fraud, to gain a position on the list shall be stricken from the list of eligibles.

## **SECTION 9 – APPOINTMENTS**

Vacancies shall be filled by the Board in the manner that it deems to be in the best interest of the Village. No applicant shall be eligible for appointment unless he or she has met all requirements previously listed.

## **SECTION 10 – PROBATIONARY APPOINTMENT**

- A. All appointments to the police department shall be for a probationary period of twelve (12) months. The probationary period shall commence as of the first date said individual is sworn in with the department.

- B. Probationary employees may be summarily dismissed and are not entitled to the protection afforded to non-probationary officers by statute, these rules, or Collective Bargaining Agreement.

**CHAPTER V - PROMOTIONAL EXAMINATIONS**

**SECTION 1 - GENERAL**

The Board, by its rules, shall provide for promotion in the Police Department on the basis of ascertained merit and seniority in service and examination. The Board shall provide for promotion in the Fire Department as required by the [Fire Department Fair Promotions Act](#) and the [collective bargaining agreement](#). All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit them to examination. Probationary police officers and firefighters shall be ineligible to test for promotion during their probationary period. All promotions within the police department shall be made from the three (3) individuals having the highest total score.

The method of examination and the rules governing examinations for promotion are specified below. The Board shall strike off the names of candidates for promotional appointment after they have remained thereon for more than two (2) years for Police promotional list, and in accordance with the [collective bargaining agreement](#) for Fire. For the purpose of determining that a vacancy exists, the Board must have received notice from the Village Manager to fill an existing vacancy prior to the date the name(s) are to be stricken from a promotional eligibility register. The vacancy must be filled within 60 days as referenced in the [collective bargaining agreement](#) unless funding is eliminated. Each weighted component of the examination process shall be based upon a scale of 1 to 100.

- A. The final Promotional Examination score, for non-exempt promotional ranks within the police and fire department, shall be determined as follows:

<b>Police Department</b>	
<b>Examination</b>	<b>Weight</b>
Written Test/Assessment Center	50%
Interview	25%
Chief's Points	25%

<b>Fire Department</b>		
<b>Examination</b>	<b>Weight – Lt.</b>	<b>Weight – Captain</b>
Written Examination	50%	40%
Ascertained Merit	10%	N/A
Assessment Center	N/A	20%
Interview	15%	15%
Chief's Points	15%	15%
Seniority	10%	10%

*The Passing Grade is announced by the Board prior to conducting the examination and may vary based upon the examination or the testing agency used by the Board.*

**Seniority Points are given as follows:**

**Police Department:**

- ½ of a point per year for each full year of service as a member of the Schaumburg Police Department up to a maximum of five (5) points

**Fire Department:**

- ½ of point per year for each year up to a maximum of 20 years for Fire Lieutenant. 10 points is the maximum
- 1 point for each full year in grade as a Lieutenant up to a maximum of 10 years for Fire Captain. 10 points is the maximum.

- B. In the event no candidate from the immediate next lower rank qualifies for promotion, the Board in determining next in order of rank in promotional examinations herewith determines a policy of extending the examination successively through all the orders of rank in the services in an endeavor to qualify suitable eligible or eligibles for the vacancy or vacancies existing before extending the examination to the general public.
- C. Candidates, who are otherwise qualified and have timely requested credit for prior military service, shall be granted veteran's preference points as provided by state statute.
- D. To test for the position of police sergeant, a candidate must possess, prior to participating in the promotional process, an Associate's or Bachelor's degree from an accredited college or university. Candidates for the position of Fire Captain must possess, prior to participating in the promotional process, a Bachelor's degree from an accredited college or university.

**SECTION 2 - TOTAL SCORE**

A Candidate's total score shall consist of the combined scores as listed in Section 1 above. Candidates shall take rank upon a promotional eligibility register in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidates' names on the eligibility register shall be determined by lottery, in the presence of a quorum of the Board, in whatever manner the Board deems appropriate.

**SECTION 3– FIRE LIEUTENANT AND FIRE CAPTAIN PROMOTIONS**

Promotions to the position of Fire Lieutenant and Fire Captain shall be conducted in accordance with the terms and conditions as specified within the current [collective bargaining agreement](#) entered into by and between the Village of Schaumburg and Local 4092 of the International Association of Fire Fighters (IAFF), or as subsequently amended thereafter.

## **SECTION 4 - RIGHT OF REVIEW**

Subsequent to their participation in a promotional assessment center and/or written examination and prior to the posting of a final promotional eligibility register, candidates for promotion shall be given an opportunity to meet with a representative of the testing vendor conducting those examinations for the purpose of reviewing the examination and discussing any issues or questions a candidate may have related thereto. Candidates contesting the results of the promotional exam shall submit a written request to the Commission to have any errors corrected. The Commission shall review the request to determine its validity. If the Board determines an error exists, they may correct it. Requests shall be submitted to the Commission within ten (10) days of the posting of the eligibility list.

## **SECTION 5 - PROMOTIONAL VACANCY**

Upon notice from the Village Manager or designee that a promotional vacancy exists, the Board shall select the individual to be promoted in the manner specified in Section 1 of this Chapter IV.

## **CHAPTER VI - ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE**

### **SECTION 1 - RANK**

The order of rank in the Police Department shall be as provided by [Village Ordinance](#) subject to Village of Schaumburg budget.

The order of rank in the Fire Department shall be as provided by [Village Ordinance](#) subject to Village of Schaumburg budget.

### **SECTION 2 - CLASSIFICATION**

The Board classifies such offices in the fire and police departments for the purpose of establishing and maintaining standards of examinations and promotions based upon job descriptions and departmental regulations.

**SECTION 3 - OATH OF OFFICE**

Before entering duty, any person about to become a member of the Fire or Police Department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois:

"I, \_\_\_\_\_, having been appointed to the office of \_\_\_\_\_ in the Village of Schaumburg in the counties of Cook and DuPage, DO SOLEMNLY SWEAR, (or affirm), that I will support the Constitution of the United States and the Constitution of the State of Illinois, and all ordinances of the Village of Schaumburg, and Rules and Regulations and orders of the \_\_\_\_\_ Chief, and that I will faithfully discharge the duties of the office of \_\_\_\_\_ according to the best of my ability.

Signed \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

NOTARY PUBLIC.

He shall enter into such bond in such amount as prescribed by the [Village Ordinance](#).



## **CHAPTER VII - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES**

### **SECTION 1 - HEARING OF CHARGES**

- A. Hearings before the Board are not common law proceedings. The provisions of the "[Code of Civil Procedure](#)" do not apply to hearings before the Board.
- B. "Counsel" as used herein means: One who has been admitted to the bar as an attorney-at-law in this State.
- C. No rehearing, reconsideration, modification, vacation, or alteration of a decision of the Board shall be allowed.
- D. "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer or fire fighter no longer occupying his position. The right to determine what constitutes cause is in the Board.
- E. The complainant or appellant initiating any proceedings which call for a hearing before the Board shall have the burden of proof to establish by a preponderance of the evidence that cause for discipline exists or that a suspension, previously imposed by the Chief of a department, is unwarranted. Should the question of a crime be involved, the rule of "reasonable doubt" shall not control.
- F. The phrase "preponderance of evidence" is defined as the greater weight of the evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
- G. Probationary employees may be summarily dismissed by the Village Manager, with notification to the Board, and are not entitled to the protection afforded to other full-time officers or fire fighters by statute or these rules.
- H. All hearings shall be public, in accordance with the [Open Meetings Act](#).
- I. At the time and place of hearing, both parties may be represented by counsel, if they so desire.
- J. All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter to be employed by the Board.
- K. The records of all hearings will not be transcribed by the court reporter unless requested to do so by the Board or any party of interest.

- L. All witnesses shall be sworn prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.
- M. The Board will first hear the witnesses either substantiating the charges which have been made against the respondent or in support of an appeal brought by a suspended fire fighter or police officer. Thereafter the other party may present and examine those witnesses whom he desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

## SECTION 2 - HEARING PROCEDURE

- A. **Complaints:** In all cases, written complaints shall be filed in quintuple, setting forth a plain and concise statement of the facts upon which the complaint is based.
- B. **Probable Cause:** The Board shall have the right to determine whether there is or is not probable cause for hearing a complaint and may conduct such informal hearings as may be necessary for such purpose.
- C. **Notification of Hearing:** Upon the filing of a complaint in quintuple with the Secretary of the Board, and the determination by the Board of probable cause for entertaining said complaint, the Secretary of the Board shall notify both the complainant and the respondent, either by registered or certified mail, return receipt requested, or personally, of the time and place of the hearing of the charges contained in the Complaint. The respondent shall also be served with a copy of the Complaint, and if an Order of Suspension Pending a Hearing is entered by the Board, the respondent, the complainant, the Chief of the Department, the treasurer, comptroller, manager, or other finance officer of the municipality shall be notified of the entry of such Order of Suspension Pending a Hearing, and be served either personally or by registered or certified mail, return receipt requested, with a copy of such Order.
- D. **Continuances:** The matter of granting or refusing to grant a continuance of a hearing is within the discretion of the Board.
- E. **Stipulations:** Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, as to evidenced guilt. The facts so stipulated shall be considered as evidence in the proceeding. In the event a respondent has been suspended pending a hearing and desires a continuance, it shall also be stipulated and agreed that in the event said respondent is to be retained in his or her position as a result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said respondent during the period of said continuance.
- F. **Sufficiency of Charges-Objections To:** Motions or objections to the sufficiency of written charges must be filed or made prior to or at the hearing before the Board.

### **SECTION 3 - SUBPOENAS**

- A. Any party to an administrative hearing may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Subpoenas may be served by any person 21 years of age or older designated by the party requesting the subpoenas. Application for subpoenas should contain the names and addresses of the individuals to be subpoenaed, and the identity of any documents which they are to produce. Subpoenas will not be issued for anyone residing outside of the State of Illinois.
  
- B. Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

### **SECTION 4 - SERVICE**

All papers required by these Rules and Regulations to be served shall be delivered personally to the party designated or mailed, by United States mail in an envelope properly addressed with postage prepaid, to the designated party at his or her last known residence as reflected by the complaint filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party.

### **SECTION 5 - FILING**

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at the Village of Schaumburg, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

### **SECTION 6 - COMPUTATION OF TIME**

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is a holiday as defined or fixed in any statute now or hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

## **SECTION 7 - SUSPENSION**

- A. The Board may suspend any member of the Fire or Police Department against whom charges have been filed, pending a hearing of the charges by the Board, but not to exceed thirty (30) days, without pay, at any one time.
- B. The Chief of the Police or Fire Department shall have the right to suspend any officer or fire fighter under his or her command for a period not to exceed five (5) days, providing no charges on the same offense have been filed and are pending before the Board, and he shall notify the Board in writing within 24 hours of the time of such suspension. Any fire fighter or police officer so suspended may appeal to the Board for a review of the suspension within five (5) days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department who suspended such fire fighter or police officer, and to the employee so suspended. The burden of establishing that a suspension is unwarranted shall be upon the individual bringing the appeal.
- C. Upon such appeal, the Board may sustain the action of the Chief of the Department, may reverse it with instructions that the employee so suspended receive his or her pay for the period involved, may suspend the employee for a period of not more than thirty (30) days, demote or discharge him/her, depending on the evidence presented.

## **SECTION 8 – DISCHARGE, DEMOTION OR SUSPENSION AFTER HEARING**

- A. Discharge from office, demotion or suspension from service in the Police or Fire Department shall be in compliance with the [Fire and Police Commissioners Act of the State of Illinois](#), being Division 2, Sections 5/10-2.1-1 through 5/10-2.1-30, inclusive, of Chapter 65 of the [Illinois Compiled Statutes](#) and/or as authorized by [Village Ordinance](#) and/or appropriate [collective bargaining agreement](#).
- B. The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the Board.

## **SECTION 9 - DATE OF HEARING**

The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board. This time limitation is not applicable to hearings conducted to review suspensions of five (5) days or less imposed by a Chief of a department on one of its members.

## **SECTION 10 - FINDINGS AND DECISION**

In case any member of the Fire or Police Department shall be found guilty of the charges filed against him/her after a hearing by the Board, he may be removed, discharged, demoted, or suspended for a period not exceeding thirty (30) days, without pay. Upon an appeal, the Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the employee for an additional period of not more than thirty (30) days, demote him/her or discharge him/her depending on the facts presented.

The findings and decision of the Board, following a hearing of charges, shall be preserved by the Secretary, and notice of said finding and decision sent to the officer or fire fighter involved and the Village Manager for enforcement. If the finding or decision is that an officer or employee is guilty of charges investigated, and removal or discharge is ordered, such order of removal or discharge shall become effective forthwith. (See Section 9 of this Chapter VI).

## **SECTION 11 – RULES AND CONFLICT**

The sworn personnel of the Police and Fire Departments shall be governed by their respective Department Standard Operating Procedures, applicable Collective Bargaining Agreements and Rules as adopted by the Board of Fire and Police. In the event of a conflict between the Rules and the [Collective Bargaining Agreement](#) (CBA), the CBA rules. In the event of a conflict between the Rules and any [Village Ordinance](#), Village Ordinances are the Rule.

## **SECTION 12 - VIOLATION OF RULES**

All members of the Police and Fire Departments shall be subject to the regulations of such Department, and the Rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

## **SECTION 13 - VIOLATION OF LAW**

Any violation of the laws of the municipality or state or federal law, by any member of the Police or Fire Department of such municipality may be cause for the filing of charges against said firefighter or officer, except as herein otherwise provided.

## **CHAPTER VIII - GENERAL**

### **SECTION 1.**

The Board shall have such other Powers and duties as are given it by the Statutes of the State of Illinois or by Village Ordinance.

### **SECTION 2.**

Any Chapters, Sections and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statute or with any amendments thereto that may hereafter be enacted are null and void. This, however, does not invalidate any other Chapters, Sections and/or Subsections of said Rules.

### **SECTION 3.**

Amendments to the Rules of the Board may be made at any meeting of the Board. A notice shall be published, in a newspaper of general circulation in the municipality, specifying where such Rules are available for inspection. The notice shall specify the date, not less than ten (10) days subsequent to the date of such publication when said Rules shall become effective.

### **SECTION 4 - POLITICAL CONTRIBUTIONS**

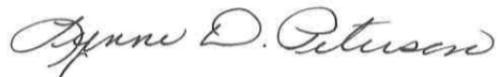
No person in the Police or Fire Departments of the Village of Schaumburg, Illinois, shall be under any obligation to contribute any funds to render any political service, and no such person shall do so or be removed or otherwise prejudiced for refusing to do so. No person in the Fire or Police Departments of the Village of Schaumburg, Illinois, shall discharge or promote or reduce, or in any manner change the official rank or compensation of any other person in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use his or her official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.

**BOARD OF FIRE & POLICE COMMISSIONERS**  
Village of Schaumburg



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Lawrence J. Mazzeffi, Chairman



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Lynne D. Peterson, Commissioner



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Peter J. Justen, Commissioner