RULES AND REGULATIONS OF THE

BOARD OF FIRE AND POLICE

COMMISSIONERS

VILLAGE OF CAROL STREAM

STATE OF ILLINOIS

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 **RULES AND REGULATIONS OF THE**

 **BOARD OF FIRE AND POLICE COMMISSIONS**

 Village of Carol Stream

 State of Illinois

 **CHAPTER I -- ADMINISTRATION**

Section 1. SOURCE OF AUTHORITY

The Board of Fire and Police Commissioners of the Village of Carol Stream, Illinois derives its power and authority to promulgate rules and regulations from an Act of the General Assembly entitled, "Division 2.1 Board of Fire and Police Commissioners," Chapter 65, Illinois Compiled Statutes, Section 5/10-2.1-1 et seq. (hereinafter, “the Act”), and from the home rule powers of the Village of Carol Stream, as provided in Article VII, Section 6 and 10(a) of the Constitution of the State of Illinois of 1970. Any references to certain provisions of the Act or other laws set forth in these Rules and Regulations are merely provided for general reference only and are not to be construed as a limitation upon the Village’s use of its home rule authority to adopt certain rules and regulations that may be less stringent or more stringent or that may eliminate or add regulations beyond those in the Act or other applicable laws. The Village of Carol Stream is a home rule community, and to the extent these rules and regulations conflict with any specific provisions of said law, the provisions of these rules shall supersede and be given full force and effect.

Section 2. DEFINITIONS

 The word "Board" wherever used shall mean the Board of Fire and Police

 Commissioners of the Village of Carol Stream. The word "Officer" and/or "sworn

 member" shall mean any person appointed, sworn, and commissioned in the full

 time classified service in the Police Department of the Village of Carol Stream,

 except the Chief of Police, Deputy Chief of Police, and Commander, as provided by

 Statute. The singular includes the plural, and the plural the singular. Whenever the

 masculine pronoun is used herein, it shall include the feminine pronoun as well.

Section 3. APPOINTMENTS & TERMS OF OFFICE

The Board shall consist of three (3) members appointed by the Mayor, with the consent of the Village Board. Each member’s term of office shall be three (3) years and until their respective successors are appointed and have qualified. No bond shall be required of any Board member. Political affiliation shall not be considered and no affidavit of political affiliation shall be required.

Section 4. OFFICERS OF THE BOARD AND THEIR DUTIES

 The Board shall annually elect a Chairman and a Secretary at the first meeting in

 May. Said officers of the Board shall hold office for one (1) year and until their

 successors are duly elected and qualified. The Chairman shall be the presiding

 officer at all meetings. The Minutes of all meetings of the Board shall be kept in the

 Village Clerk’s Office in a permanent record book. The Human Resources

 Department shall be the custodian of all the forms, papers, books, records and

 completed examinations of the Board, and shall perform such other duties as the Board

 shall prescribe from time to time.

Section 5. MEETINGS

 The Board shall select the time and place of its regular meetings. At the

 commencement of each fiscal year, the recording secretary shall post a notice of the

 date, place and time of the regular meetings. Notice shall be posted and meetings

 shall be subject to the Open Meetings Act.

 Special meetings may be called pursuant to a request by any two members or the

 Chairman for a special meeting. Such request for a special meeting shall be filed

 with the Secretary of the Board. Upon receipt of such a request, the Secretary,

 recording secretary or any Board member may send notice of the meeting to all

 members and any other person required by law to receive such notice. The 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.

 Notice of meetings of the Board shall be given in accordance with the Open Meetings Act.

 During any regular or special meeting, a closed session may be held upon proper motion made by any member of the Board for the purpose of discussing the appointment, employment, discipline or dismissal of an officer or employee. Closed sessions shall be limited to Board members, the Board attorney and such invited persons as the Board may deem necessary.

 The Board Secretary shall keep minutes of all Board meetings. Such minutes shall include , but are not limited to, all motions and seconds, their authors, and the actions taken thereon.

Section 6. QUORUM

 Two (2) members of the Board shall constitute a quorum for the conduct of all

 business.

Section 7. ORDER OF BUSINESS

 The order of business at the meetings of the Board shall be as follows:

 (a) Call to order

 (b) Approval of the Minutes

 (c) Communications

 (d) Unfinished business

 (e) New business

 (f) Adjournment

Section 8. PROCEDURAL RULES

 The parliamentary procedures prescribed in Robert's Rules of Order shall be

 followed to the extent they are applicable.

Section 9. AMENDMENTS

 Amendments to the rules of the Board may be adopted at any meeting of the Board.

  All rules and regulations and any changes therein shall be printed immediately for distribution, and notice shall be given of where the printed rules and regulations may be obtained and of the date, not less than ten days subsequent to the time of printing, when the rules or changes therein shall go into effect. This notice shall be published in one or more newspapers with a general circulation within the village. A copy of the rules and regulations, and any amendments, shall be posted on the Village’s website.

Section 10. ANNUAL BUDGET REQUEST

 The Board of Fire & Police shall submit a budget request to the Village on or before December 31st of each year for expenditures anticipated in the following fiscal year.

 **CHAPTER II -- APPLICATIONS**

Section 1. RESIDENCE REQUIREMENTS

 All applicants for examination shall be citizens of the United States or aliens admitted for permanent residence or lawfully admitted for temporary residence and who produce evidence of intention to become a citizen of the United States. Applicants for examination must agree to become residents of the State of Illinois at

 the time of their appointment and further to reside within the area prescribed by the

 Village Board. The Board shall observe such residence requirements as established

 by Ordinance.

Section 2. AGE REQUIREMENTS

 Unless otherwise provided, applicants for original appointments must be at least 21

 years of age as of the date specified on the notice of examination.

 All applicants for a position shall be under 35 years of age unless they qualify under

 one or more of the other age exemptions contained within State law. In addition,

 applicants may be under 21 years of age if they qualify for one of the exemptions

 under State law which allows persons of a younger age to make application. A veteran shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

Section 3. APPLICATION

 The Board shall furnish application packets for positions on the Police Department.

The packet shall contain information about the testing and selection process and the expected duration of the process.

 Applications for the Police Department shall be filed on the forms furnished by the Board. All applications shall be typed or printed, signed by the Applicant and filed with the Village’s Human Resources Department to be forwarded to the Board of Fire and Police Commissioners. Each Applicant shall be responsible for advising the Board of any changes in information disclosed upon the application. Failure to do so shall be cause for disqualification of the Applicant. New applications shall be filed for each examination. Applications of persons who fail to appear at the time and place specified for holding an examination, or who failed a previous examination, shall not be used in subsequent examinations.

 Upon request, each Applicant shall furnish a copy of Military Services records and discharge records, if any, birth certificate, naturalization papers, high school diploma or G.E.D. certificate, a copy of any college degree and, if requested, a copy of a certified transcript of course work from an accredited college or university.

 A false statement or omission made by an Applicant in an application, any connivance in any false statement made in any application or certificate or document or complicity in any fraud with respect to the same shall be cause for disqualification of the Applicant.

Section 4. DEFECTIVE APPLICATIONS

 Applicants who submit defective or incomplete applications may be notified by the

 Board that they are required to provide additional information or otherwise correct

 the application, provided the applicant appears to be otherwise qualified for the

 position he or she seeks. However, the Board shall be under no obligation to identify any defective or incomplete application or to notify any Applicant of a defective or incomplete application.

Section 5. NOTICE OF ACCEPTANCE

 The Human Resources Department on behalf of the Board of Fire and Police

 Commissioners will notify all applicants whose completed applications have been

 accepted by the Board to present themselves for orientation.

Section 6. NOTICES

 Notices to Applicants of any matters involving the application process, testing or appointment may be made by regular mail or email. The Board shall not be responsible for the Applicant’s receipt of any notice sent by regular mail or email. If any Applicant does not duly respond to the notice, the Applicant may be eliminated from further consideration.

Section 7. RIDE ALONG

 Prior to hire, each Police Officer applicant shall be required to attend a minimum of

 one mandatory ride along with a current member of the Carol Stream Police

 Department.

Section 8. POLYGRAPH EXAMINATION

 Any applicant for an original position or promotion with the Police Department

 of the Village of Carol Stream shall be required to submit to a Polygraph Device

 Deceptive Test, at such time and place as the Board may, in writing, designate.

 Such test shall be given without expense to the applicant. Failure of the applicant to

 take or to cooperate in such test shall disqualify him/her from further consideration for appointment.

Section 9. MEDICAL AND PSYCHOLOGICAL EXAMINATIONS

 Upon receiving a conditional offer of original employment or promotion, applicants

 shall be required to submit to a physical and medical examination by a

 licensed physician, who may be designated by the Board.

 Each application for either an original position or for promotion may be required to

 submit to a psychological examination in conjunction with a medical examination

 by such psychologist as the Board may, in writing, designate. Such examination

 shall be without expense to the applicant. Failure of the applicant to take or pass

 such test shall eliminate him/her from further consideration.

Section 10. DISQUALIFICATION

 A. The following acts shall automatically disqualify any applicant from examination and consideration for appointment:

1. Sale of any illegal drug identified as a Schedule I, II or III controlled substance in the Illinois Compiled Statutes;

2. The illegal usage of any prescription drug or legally obtainable substance that was not prescribed to applicant by a licensed physician or that is used in a manner for which it was not intended within the past three (3) years;

3. The illegal usage of cannabis within the past three (3) years.

4. Is found to have taken an illegal drug identified as a Schedule I, II or III controlled substance in the Illinois Compiled Statutes, and not legally prescribed by a licensed physician within the last ten (10) years;

 5. Conviction of a felony or any misdemeanor involving moral turpitude as specified in Section 5/10-2.1-6 of the Board of Fire and Police Commissioners Act;

6. Conviction of a misdemeanor crime of domestic violence, or for any other reason has lost, forfeited or been deprived of the lawful capacity to possess firearms or ammunition;

7. Conviction of a crime that requires registration under the Sex Offender Registration Act, 730 ILCS 150/1 et seq.;

8. Entry as a gang member or associate in LEADS or similar law enforcement data system;

9. Classification by the Selective Service as a conscientious objector;

10. Dishonorable discharged from the military service; and

11. Any deception or fraud or attempted deception or fraud in the application, supporting documents, examinations or other submissions to or dealings with the Board, the Department or the Village, any knowing receipt of test questions or answers prior to taking any examination, or any untruthful responses to questions during the application process.

B. In addition to the automatic disqualifiers set forth above, at any stage of the application process, and to the extent permitted by statute and case law, the Board may refuse to examine, or after examination to certify or fully certify as eligible, any applicant who:

1. is found lacking in any of the established preliminary requirements for the

 service for which he or she applies, as set forth in the notice of position availability;

2. is physically, mentally or medically unable to perform the essential core duties of the position for which he or she seeks appointment, as set forth in the notice of position availability;

 3. in the opinion of a license physician, has any physical, mental or medical condition or disorder that would create a safety risk to the Applicant or any Village employee or the general public, if the Applicant were hired as a police officer;

 4. is addicted to the habitual use of intoxicating beverages or cannabis to the extent that performance may be diminished on the job;

5. has been involved in any situation whether charged, convicted or not that would constitute a felony or any misdemeanor involving moral turpitude, under the Illinois Compiled Statutes;

6. has committed the offense of driving under the influence or has committed multiple misdemeanor traffic violations exhibiting a total lack of regard for traffic laws;

7. has been dismissed from any public service for a good cause;

8. omits material information in his application, supporting documents, or other submissions to the Board, the Department or the Village;

9. fails to cooperate in the application process, including but not limited to failure to provide full and complete information, to respond to any request for information, or to provide authorization in order to receive information or records from third parties;

10. has, in the opinion of the Board, unsatisfactory character and/or employment references;

11. has a work record which reveals excessive absences, repeated unexcused tardiness, unremediated misconduct, work performance problems, verified harassment of fellow employees or any pattern of inability to maintain employment,

12. has a consistent pattern of financial irresponsibility creating a reasonable doubt as to the Applicant’s ethics, stability, trustworthiness, honesty or moral character;

13. does not possess a valid driver’s license;

14. has failed to appear for, or failed any examination or otherwise has not successfully completed any portion of the examination process;

15. has previously tested for the position of police officer and has failed the polygraph, or background check;

16. has not successfully completed the background examination, who has made admissions during the polygraph examination of criminal conduct or such other conduct that would otherwise disqualify Applicant or who has attempted to influence the results of the polygraph examination in any manner;

17. does not possess a valid high school diploma or its equivalent; or a grade point average of less than 2.0 in college or high school; or

18. in the reasonable opinion of the Board, is otherwise unqualified for service in the Police Department.

C. An applicant that has been disqualified or failed any phase of the application process will be

 notified, in writing within 30 days of such a decision by the Board.An Applicant may

 request in writing that the Board review its decision to disqualify by stating the reason(s)

 why such review is appropriate and providing any evidence that the decision should be

 reversed. The Board shall respond to such request within a reasonable period of time.

Section 11. TESTING IRREGULARITIES

 If, based on the totality of the circumstances, the Board has a reasonable basis for

 believing that the results of any examination administered under Chapters III or IV

 below are erroneous, inaccurate or in any other way irregular, the Board may direct

 the applicant(s) in question to submit to a retaking of such test before an alternate

 examiner.

Section 12. BACKGROUND INVESTIGATION

 The police department will conduct a background investigation. The background investigation may consist of a number of elements, including but not limited to verification of qualifying credentials, a background interview of the Applicant, verification of at least three personal references, and criminal, credit reference and employer investigations.

The police department will use trained personnel to collect the required background information.

Background information will be placed in the applicant’s file and maintained by the Fire and Police Commission in accordance with this policy regarding the retention of records.

The Applicant shall provide a signed waiver for access to such records as may be required by the Board to conduct a thorough background investigation in order to determine the Applicant’s eligibility for appointment.

 **CHAPTER III -- EXAMINATIONS -- ORIGINAL APPOINTMENTS**

A. GENERAL PROCEDURES

All elements of the selection process for sworn personnel use only those rating criteria or minimum qualifications that are job related. The selection process incorporates only those components that have been documented as having validity, utility, and a minimum adverse impact. The selection process has a criteria-related validity. All written tests or materials administered by a private sector or vendor will meet the requirements of validity, utility and minimum adverse impact.

Section 1. EXAMINATIONS

 The Board shall call for competitive examinations to establish eligibility lists. A

 call for such examination shall be entered in the minutes of the Board and shall

 include information pertaining to:

 (a) the time and place where such examination will be held;

1. the period for the Board's receipt of applications, which period shall be for at

 least a two-week period, and shall terminate a minimum of ten (10) days

 before the examination procedures begin;

 (c) the position to be filled from the resulting eligibility list.

Section2. NOTICE OF EXAMINATIONS

 Examinations for original appointment shall be advertised in a local newspaper in accordance with 5/10-2.1-13. Advertisements will include electronic media and postings. All announcements will include a description of duties, responsibilities, requisite skills, educational level, and other minimum requirements. Announcements should be posted at community service organizations and the Department should seek assistance from community leaders. All announcements will include an official deadline for the acceptance of applications.

 Examinations may be postponed, however, by order of the Board, which order shall state the reason for such postponement and shall designate a new date for said

 examination. Applicants shall be notified of the postponement of any examination and of the new date fixed for said examination.

Section 3. TYPES OF EXAMINATIONS

 Applicants must attend the orientation program sponsored by the Board.

 Applicants will then be required to undergo various tests, including examinations,

 written and oral. The subject matter for examinations shall be such as will fairly test

 the capacity of the applicant to discharge the duties of the position to which the

 Applicant seeks appointment. No examination shall contain questions regarding the Applicant’s political or religious opinions or affiliations.

The Human Resources Department will maintain contact with all applicants from initial application to final employment disposition.

Section 4. ORDER OF EXAMINATIONS

 Examinations will be held as prescribed by the Board. Failure to pass any test

 graded on a "pass/fail" basis shall disqualify the applicant from any further

 participation. Each weighted component of the examination process shall be based upon a scale of 1 to 100. An applicant must achieve at least a minimum passing score on the physical ability and written examinations which shall be established with the testing agency employed by the Board and announced at the mandatory orientation meeting prior to the beginning of the testing process. The nature of the testing process examinations and related scoring are:

Examination Weight Passing Grade

written examination Determined minimum passing score

 prior to testing set at orientation meeting

 cycle

oral boards\* Determined minimum passing score

 prior to testing set at orientation meeting

 cycle

polygraphexamination\*\* pass./fail

physical agility test\*\*\* pass/fail

credit, moral, and other

background investigation pass/fail

oral interview by Board pass/fail

psychological examination / pass/fail

medical examination\*\*\*\*

**\***to be determined by Board prior to each testing cycle

**\*\***further investigation of all polygraph examination results will be performed.

\*\*\*passing of physical agility test for academy attendance as required by State law &

 academy attendance.

\*\*\*\* administered after a conditional offer of employment is made.

 All elements of the testing process shall be administered, scored, evaluated, and interpreted in a uniform manner.

B. NATURE OF EXAMINATION

 All examinations shall be of such a nature as to adequately

 assess the Applicant's aptitude to assimilate training as a Police Officer.

 Each examination process shall include a written examination. As part of the examination process, the Board may also include an oral examination process consisting of candidate interviews, known as Oral Boards, with trained representatives of the Carol Stream Police Department. The determination of whether Oral Boards will be part of the examination process will be made prior to each testing cycle and if included shall be so stated in the Notice of Examination. If implemented, the Oral Board process will include scoring criteria consistent with these rules, and shall not exceed 20% of the overall examination score.

Section 2. FINALITY

 All examination papers shall be and become the property of the Board and the

 grading thereof by the Board shall be final and conclusive. Applicants who fail to

 achieve a passing grade will be notified and eliminated from all further

 consideration.

C. ELIGIBILITY REGISTER

Section 1. PLACEMENT ON REGISTER

 The Board shall prepare and keep a register of persons whose combined score on the written examination/oral board is not less than the minimum fixed by these rules, and who are otherwise eligible. These persons shall take rank upon the register as Applicants in the order of their relative excellence as determined by the written examination without reference to priority of time of examination.

Section 2. POSTING OF PRELIMINARY REGISTER; PREFERENCES

 Within 60 days after the written examination, a preliminary eligibility list shall be posted by the Commissioners, which shall show the final grades of the Applicants and be subject to the claims for preference points as provided hereunder. Applicants who are eligible for veteran, educational, or law enforcement certification preference points must make a claim in writing with proof thereof within 10 days after the date of the preliminary eligibility list or such claim will be waived. No Applicant will be eligible to receive more than 5 preference points in total. It is the intent of these rules that the preference points to be awarded comply, from time-to-time, with the requirements of the State statutes. If there is a difference between the preference points set out below and those specified within State statutes, the latter shall apply.

 (1). Veteran’s Preference Points.

Applicants who have served in the active military or naval service of the United States for a period of at least one year and who were honorably discharged therefrom, or who are or may hereafter be on inactive or reserve duty in such military or naval service, shall be eligible for five (5) preference points pursuant to 65 ILCS 5/10-2.1-8. For purposes of this Section, if a person has been deployed, then “active military or naval service of the United States includes training and service school attendance, as defined in 10 USC 101(d), which is ordered pursuant to 10 USC 12301(d).

(2) Prior Service Preference Points.

Applicants who either (i) have been employed by the Village as Community Service Technicians, or (ii) possess a certificate of Basic Law Enforcement Training Course as provided in the Illinois Police Training Act shall be eligible for preference points as follows:

i. Applicants with at least two (2) years’ employment by the Village as a Community Service Technician, or certified and having at least two (2) years employment as a full-time sworn peace officer are eligible for five (5) points at the time of examination for original appointment to the Police Department.

ii. Applicants with experience of up to two (2) years’ employment by the Village as a Community Service Technician, or certified and having zero (0) to two (2) years employment as a full-time sworn peace officer are eligible for three (3) points at the time of examination for original appointment to the Police Department.

(3) Education Preference Points.

Applicants who possess a Bachelor’s Degree in any academic discipline at the time of their application for employment with the Department shall be eligible for five (5) preference points. Applicants who hold a valid Associate’s Degree in law enforcement or criminal justice at the time of their application for employment with the Department shall be eligible for three (3) preference points.

Section 3. FINAL ELIGIBILITY ROSTER

 The Board shall prepare a “Final Eligibility Roster” which shall include claimed, and

 verified preference points. Appointment shall be subject to a final polygraph

 examination, psychological, background investigation, oral interview, and physical

 examination as provided by these rules. Eligibility lists will be in effect for no more

 than three (3) years.

 Applicants shall be appointed from the eligibility list in descending order.

 Notwithstanding anything to the contrary contained in these rules and regulations,

 the Board may, in its discretion, choose to appoint an applicant who has been

 awarded a certificate attesting to his or her successful completion of a minimum

 standards Basic Law Enforcement Training Course, as provided in the Illinois

 Police Training Act, ahead of non-certified applicants.

D. LATERAL APPOINTMENT OF SWORN POLICE OFFICER CANDIDATES

The Board may, at its discretion, make an original appointment of applicants who currently serve as a full time police officer and have successfully completed basic law enforcement training and have been so certified by the Illinois Law Enforcement Training and Standards Board. Applicants to be appointed under this Section must meet the following criteria:

1. Currently serve as a full-time sworn law enforcement officer in good standing for a municipality or public law enforcement agency in a comparable position, with duties and responsibilities substantially similar to those of a police officer in the Village of Carol Stream.
2. Have a minimum of one (1) year of full-time experience with a municipal or public law enforcement agency in a comparable position.
3. Be at least 21 years of age and less than 35 years of age as proscribed by State Statute. The age exceptions included in 65 ILCS 5/10-2.1-6(a) and (d) will apply.

Applicants must complete and submit an application to the Board of Fire and Police Commission as provided in Chapter II, Section 3 of these Rules and Regulations. In addition, applicants may be required to furnish additional documents, including but not limited to a resume and cover letter, law enforcement performance evaluations, disciplinary history, training certifications, commendations or documentation verifying valid certification of eligibility.

Applicants who have been determined by the Board to meet the aforementioned requirements will not be required to attend an orientation or take a written examination. For such candidates, the examination process shall consist of a Police Department oral interview with a minimum passing score of 70%, a Board oral interview with a minimum passing score of 70%, a polygraph /background investigation, a psychological examination, a medical examination, and any other examinations as the Board deems necessary to determine the fitness for duty as a Carol Stream Police Officer prior to appointment. Candidates are required to pass each phase in order to proceed to the next.

The lateral entry eligibility list will be created from qualified applicants that submit the required application materials and receive a score of 70% or above on the Police Department oral interview. A candidate’s placement on the lateral entry eligibility list shall be by alphabetical order of their last name. Lateral entry candidates shall not be entitled to receive any preference points.

A candidate’s position on the lateral entry list has no bearing on the order in which a candidate is selected to move forward in the hiring process. Such selection shall be made at the sole discretion of the Board, and may be based upon criteria including, but not limited to, the Police Department oral interview score, the Board oral interview score, previous employer commendations, discipline, evaluations, education, training, specialties and experience. All candidates selected to move forward in the hiring process shall be subject to disqualification as provided in Chapter II, Section 10 of these rules and regulations.

When in the determination of the Board, the original appointment of a qualified sworn police officer candidate is in the best interests of the Village, a qualified sworn police officer candidate may be appointed in lieu of a candidate from the Final Eligibility Roster. The Board may select the lateral entry candidate who in the Board’s opinion is the most qualified candidate best meeting the needs of the department at that time.

Lateral Police Officer candidates may be considered for original appointment for a period of two years from the date of application for original appointment, after which time their name will be removed from the list. No more than 50% of all original appointments may be made from sworn police officer candidates during the term of an active Final Eligibility Roster. The 50% rule may be waived in the event that the Chief of Police can demonstrate a reasonable need to do so. The request to waive the 50% rule must be approved by the Board of Fire and Police Commissioners.

 Applications for Lateral Entry may be made and accepted at any time.

Lateral police officer candidates who are appointed shall serve a probationary period as set forth in Chapter III, Section K.

E. POLYGRAPH EXAMINATION

 Applicants, on notification of a pending vacancy, shall submit themselves for a polygraph examination as provided by these rules at such time and place as the Board may in writing designate.

The polygraph examiner will be a licensed polygraph examiner designated by the Board.

If the Applicant fails the polygraph test (deception was detected by the examiner), the Applicant may be disqualified. The results of the polygraph examination, whether truthful statements were made, or deception was detected, will be investigated during the background phase of the testing process, and then reviewed by the Board for determination.

F. ORAL EXAMINATION BY BOARD

Section 1. ATTENDANCE OF BOARD MEMBERS

 No less than two (2) Commissioners shall conduct the Oral Examination. Questions

 may be asked by the Commissioners or persons selected by the Commissioners.

 The same Commissioners shall not be required to interview each applicant.

Section 2. SUBJECT OF EXAMINATION

 Questions shall be asked of the Applicant that will enable the Commissioners to properly evaluate and grade the Applicant on voice and speech, appearance, alertness, ability to present ideas, judgment, emotional stability, self confidence, friendliness and personal fitness for the position.

Section 3. COMMISSIONERS' DECISION

 On completion of each oral interview, the Commissioners will discuss the Applicant's ability using the traits listed in Section 2 above. Each Commissioner will then grade the Applicant on a pass/fail basis. The Commissioners will determine the pass/fail status of each Applicant. Applicants who fail are automatically eliminated from all further consideration.

G. CREDIT AND MORAL EXAMINATION

The Board may conduct an investigation of the applicant's character and fitness The Board may cause the conduct of an investigation of the financial history of the applicant with a view toward determining whether the applicant's prior use or abuse of credit or questionable financial dealing or special financial dependency create a reasonable doubt as to the Applicant’s ethics, stability, trustworthiness, honesty or financial responsibility. The applicant shall furnish all information requested to assist the Board in conducting this investigation including but not limited to fingerprints, financial and credit records.

H. MEDICAL EXAMINATION

An Applicant, upon notification of a conditional offer of employment, shall submit himself for a complete medical examination by a licensed physician designated by the Board. Failure to pass this examination shall eliminate the Applicant from the "Eligible Register" and any further consideration.

I. PSYCHOLOGICAL EXAMINATION

Upon notification of a condition offer of employment, an Applicant shall submit himself for Psychological Examination by a licensed psychologist designated by the Board. Failure of the Applicant to take or successfully complete such test shall disqualify the Applicant to enter upon the duties of the office for which the application for examination was filed. An applicant shall be considered to have failed the polygraph examination if the Board finds that the Applicant has (1) admitted during the pre-test interview any wrongdoing or the commission of any

act that would otherwise disqualify the Applicant from appointment; (2) admitted during the pre-test interview any wrongdoing or act that was not admitted in the applicant’s application and would disqualify the Applicant from appointment; (3) admitted wrongdoing during the course of the polygraph test that was not admitted during the pre-test interview; (4) answered questions during the course of the polygraph test in a manner that the Board determines to be indicative of deception.

J. DRUG SCREENING

Any Applicant for original appointment shall be required to pass a drug screening test to establish the Applicant’s fitness to perform the duties of police officer. Failure to pass the drug screening shall disqualify the Applicant from further consideration.

K. EFFECT OF WAIVER OF APPOINTMENT

 Any person whose name appears on an Eligibility Register for original appointment compiled under this Chapter III, but who declines original appointment, shall be removed from the Eligible Register and shall not be considered further. Any person whose name appears on an Eligibility Register for promotional appointment compiled under Chapter IV below may decline appointment one time. Any person so declining a promotional appointment is required to notify the Board in writing within five (5) days from the time appointment is offered. In the event a person declines a promotional appointment for a second time, the Board, in its discretion, may strike the name of such Applicant from the Eligibility Register.

L. PROBATION

 Original appointees shall be on probation for a period of twenty-five (25) months. The probationary period shall be extended by adding to the 25 month period any time that the probationer receives as an authorized leave. A probationary member may be discharged by the Chief of Police. The Chief shall notify the Board of the discharge. The discharge procedures set forth in Chapter VI shall not be applicable to probationary members.

 Final certification of probationary Police Officers shall be subject to successful completion of the Basic Training Course, as mandated by the State of Illinois.

M. RELEASE OF LIABILITY

 All Applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Aptitude Test" in favor of the Village of Carol Stream on a form to be prescribed by the Board.

N. RECORDS

The Fire and Police Commission will maintain records of all Applicants within the Human Resources Department. The files will be kept in a secure area. Access to the files is restricted to those persons legally entitled to view the records. These records will be maintained for such period as required by law.

Companies contracted to administer tests will maintain all testing materials and answer templates in a secure area at their facility.

A report of the results of the medical, polygraph and psychological examinations will be kept within the file records of the Applicant within the Human Resources Department. The examination provider will keep a detailed record of these exams.

**CHAPTER IV -- PROMOTIONAL EXAMINATIONS**

Section 1. GENERAL

 The Board shall provide for promotion to Sergeant positions in the Police Department on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases where it is practicable that vacancies shall be filled by promotion. All elements used to evaluate candidates for promotion to Sergeant are job related and nondiscriminatory.The Board shall post the announcement of the upcoming promotional examination and the Chief of Police shall ensure that all eligible applicants are notified.An outside agency will be hired to implement the exams. The Chief of Police shall act as the liaison and provide input and assistance. The Chief of Police and other administrative staff will review and recommend questions and scenarios throughout the testing process.After each examination conducted by an outside agency, applicants will have a forum to contest answers and to challenge all aspects of the process. Any appeal must be done in writing to the Chief of Police, who will then forward the appeal to the Board. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to such examination, and all promotions shall be made from among the three candidates having the highest rating. Eligibility lists will be in effect for a three-year period, ending with the final posting of a new eligibility list.When there are less than three names on the promotional eligibility roster, a new list shall be established in accordance with these Rules. In order to be eligible for promotional examinations, the officer must have completed the probationary period of the lower rank. An applicant that fails the examination, or if the list expires before the applicant is promoted, the applicant is eligible to participate in the next promotional examination.The method of examination and the rules governing promotion are the same as provided for applicants for original appointment except as follows:

Section 2. COMPONENTS & MINIMUM GRADE

 All officers who submit themselves to examination will be graded according to the

 following schedule:

 Weight

 Written Examination 25%

 Assessment Center 25%

 Oral Interview 20%

 Merit and Efficiency 10%

 Chief/Command Points 15%

 Seniority 5%

 Maximum Grade 100%

 **Written Examination**: Only applicants who have met the eligibility requirements

shall be permitted to participate in the written examination. The material used in the

 examination shall, in the Board’s determination, test the capacity of the applicant to

 discharge the duties of the position tested.

 **Assessment Center:** The assessment center process is a review of each candidate by

such persons as the Board of Fire and Police may appoint as assessors. In general,

 this uses exercises that are based on the requirements of the position. There shall be

 a cumulative score given following the end of the process.

 **Oral Interview:** All Board members are expected to participate in the oral

 interview. In no event shall less than two (2) Board members conduct the oral interview. Questions shall be asked of the applicant that will enable the Board members to properly evaluate and grade the applicant on general suitability for the

 position.

 **Merit and Efficiency:** The merit and efficiency rating shall include an average

 score of each candidate’s past three (3) annual performance evaluation scores.

 **Chief/Command Points:** The Chief/Command rating shall include a review of each

candidate’s propensity toward a supervisory role within the department. The Police Chief, Deputy Chiefs and Commanders will individually review each candidate on criteria such as leadership, judgment, commitment, attitude and communication. The Chief’s evaluation shall account for 5 of the overall points. Deputy Chiefs and Commanders evaluations shall account for a total of 10 points.

**Seniority:** Applicants for promotion shall be awarded credit for seniority as of the date of the written examination for the purposes of the promotional process only. Candidates shall receive one-half (1/2) point per year of service, up to a maximum of 5 points (10 years) for each full year the candidate has served as a sworn police officer for the Village of Carol Stream.

 A minimum score of 70, prior to application of veteran's points, if applicable, is

 required to be placed on the eligibility list.

 Veteran's credit shall be applied as prescribed by Statute (Chapter 65, 5/10-2.1-11).

Section 3. CONSOLIDATION OF LISTS

 Should the Board deem it advisable to supplement the number of names on any

 eligible register by holding another examination for the position, the register

 resulting from such supplemental examination shall be consolidated with the

 existing register and the names of eligibles shall take rank on such consolidated

 register in the order of the highest score obtained in either examination without

 reference to priority of time of examination. It shall be the duty of the Board to

 notify persons on the existing list that a supplemental examination will be held and

 will result in a consolidation of the two lists.

 No examination shall be given if a vacancy exists at that time and an eligibility list

 is in existence.

Section 4. SPECIAL EXAMINATIONS FOR THE RANK OF SERGEANT

Upon notice from the Village Manager that a Sergeant vacancy exists, the Board shall select the individual to be promoted in the manner specified in this chapter.

 In the event that less than three eligible members of the Carol Stream Police

 Department set forth above in Paragraph A sign up, take & pass the promotional

 examination, then within six (6) months of said promotional examination the Board

 may schedule a promotional examination for that rank which will be open to

 persons who are not members of the Carol Stream Police Department who possess,

 at a minimum, the experience with another public body that a member of the Carol

 Stream Police Department would be required to possess in order to take the

 promotional examination. For example, a person qualified to take a sergeant's

 examination must possess prior experience as a patrol officer or an equivalent

 position in the police department of a public body.

 Such persons must have successfully completed thirty-six (36) months of service

 with said police department. In addition, said persons must have been employed in

 said position within three years of taking the promotional examination and if no

 longer working as a police officer, must have left police employment voluntarily and

 not while disciplinary charges were pending.

 The procedures governing application for such persons shall be generally the same

 as those provided for applicants for original appointments as Village of Carol

 Stream Police Department patrol officers.

 The method of examination, the rules governing promotion, and residency

 requirements are the same as provided for applicants for original appointment

 except as follows:

 All officers who submit themselves to examination will be graded according

 to the following schedule:

 Weight

 Written Examination 25%

 Assessment Center 25%

 Oral Interview 20%

 Merit and Efficiency Rating 25%

 Seniority 5%

 Maximum Grade 100%

 **Written Examination**: Only applicants who have met the eligibility requirements

shall be permitted to participate in the written examination. The material used in the

 examination shall, in the Board’s determination, test the capacity of the applicant to

 discharge the duties of the position tested.

 **Assessment Center:** The assessment center process is a review of each candidate by

such persons as the Board of Fire and Police may appoint as assessors. In general,

 this uses exercises that are based on the requirements of the position. There shall be

 a cumulative score given following the end of the process.

 **Oral Interview:** All Board members are expected to participate in the oral

 interview. In no event shall less than two (2) Board members conduct the oral interview. Questions shall be asked of the applicant that will enable the Board members to properly evaluate and grade the applicant on general suitability for the

 position.

 **Merit and Efficiency:** The merit and efficiency rating shall consist of an evaluation

 score mutually agreed upon by the Carol Stream Police Chief and upper command

 staff following a thorough background investigation. For the purposes of merit and

 efficiency points only, the Police Chief and upper command staff will review items

 including the past three (3) annual performance evaluations (if applicable), as well

as interviews with at least three (3) supervisors/senior officers from the applicant’s jurisdiction.

**Seniority:** Applicants for promotion shall be awarded credit for seniority as of the date of the written examination for the purposes of the promotional process only. Candidates shall receive one-half (1/2) point per year of service, up to a maximum of 5 points (10 years) for each full year the candidate has served as a sworn police officer within the State of Illinois.

 A minimum score of 70, prior to application of veteran's points, if applicable, is

 required to be placed on the eligibility list.

 Veteran's credit shall be applied as prescribed by Statute (65 ILCS 5/10-2.1-11).

 The Board shall fill the vacancy from among the three applicants having the highest

 rating and who have passed the examination. The examination shall otherwise be

 conducted in the same form as with regard to the selection process for promotion

 limited to members of the next lowest rank within the Police Department.

 All appointments made from outside the Carol Stream Police Department shall be

 on probation for a period of 15 months and shall be further subject to the provisions

 of Chapter III, Section K of these rules.

Section 5. PROBATIONARY PERIOD

 Every promotion shall be subject to a probationary period of fifteen (15) months.

 During the probationary period, the Chief may request the Board to rescind the

 promotion and restore the officer to the rank held prior to promotion for those who

 were members of the Carol Stream Police Department immediately prior to the

 promotion. No hearing is required to grant the Chief’s request.

 In the event that the person chosen to fill a vacancy as Sergeant is not a member of

 the Carol Stream Police Department immediately prior to employment, that person

 shall be subject to a probationary period of fifteen (15) months. Prior to the end of

 the probationary period, the Board shall seek the recommendation of the Chief of

 the Department regarding the efficiency of the probationer’s performance. The

 Chief may, at any time, request that the Board discharge a probationer. The Board

 may also require the probationer to appear before it for an interview regarding the

 end of the probation period. The probationer may be discharged by the Board at any

 time during the fifteen (15) month probationary period with or without an

 appearance before the Board.

**CHAPTER V -- ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE**

Section 1. RANK

 The order of rank in the Police Department shall be as provided by Ordinance and

 municipal budget.

Section 2. OATH OF OFFICE

 Before entering upon his/her duty, any person about to become a member of the

 Police Department shall take the following oath, before any person authorized to

 administer oaths in the State of Illinois:

 "I \_\_\_\_\_\_\_\_, do solemnly swear that I will support the Constitution of the United

 States, and the Constitution of the State of Illinois, and the Ordinances of the

 Village of Carol Stream, and that I will faithfully discharge the duties of the office

 of \_\_\_\_\_\_\_\_ according to the best of my ability."

 (Signed) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Subscribed and sworn to me this \_\_\_ day of \_\_\_\_\_\_\_, 20\_\_, and shall enter into

 such bond in such amount as prescribed by the Ordinances of the Village of Carol

 Stream, unless the Village of Carol Stream provides a blanket bond for all of its

 officers.

**CHAPTER VI – DISCIPLINARY PROCEEDINGS; HEARING OF APPEALS, CHARGES, SUSPENSIONS AND DISCHARGES**

Section 1. **GENERAL PROVISIONS & DEFINITIONS**

1. Hearings before the Board are not common law proceedings. The provisions of the “Illinois Code of Civil Procedure” do not apply to hearings before the Board.
2. "Counsel" as used herein means: One who has been admitted to the bar as

 an attorney-at-law in this State.

1. At the time and place of hearing, both parties may be represented by

 counsel, if they so desire.

1. All proceedings before the Board during the conduct of the hearings shall be

 recorded by a reporter to be employed by the Board.

1. The records of all hearings will not be transcribed by the reporter unless

 requested to do so by the Board or any party of interest in which case the

 party making such a request shall pay all costs for the transcript and all

 additional costs for the reporter, if any.

1. All witnesses shall be sworn by the Chairman of the Board or his designee

prior to testifying and the matter will be decided by the Board on evidence presented at the hearings.

1. The Board will first hear the witnesses substantiating the disciplinary

action taken against the grievant or the charges which have been made against the respondent. Thereafter, grievant or the respondent may present and examine those witnesses whom he/she desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.

1. All hearings are subject to the Open Meetings Act.
2. No rehearing, reconsideration, modification, vacation or alteration of a decision of the Board shall be permitted.
3. “Cause” is some substantial shortcoming which renders continuance in employment 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 no longer occupying the position. In any case with respect to which “cause” is the standard for the imposition of discipline (i.e., in all cases not involving appeals of disciplinary action arising under the CBA), the right to determine what constitutes cause is in the Boards discretion.
4. “Just cause” is the standard for upholding discipline to be applied by the Board in cases of appeals of disciplinary action arising under the CBA. “Just cause” is a standard that derives from labor arbitration cases and refers generally to the guidelines and criteria set forth by Arbitrator Carroll R. Daugherty in Enterprise Wire Co. and Enterprise Independent Union, 46 LA 359 (1966), or, as may be later established by statutory or common law authority.
5. The phrase “preponderance of the evidence” is defined as the greater weight of the evidence and is more convincing as to its truth when weighed against the evidence in opposition thereto.

Section 2. HEARING PROCEDURE: CASES NOT ARISING UNDER THE CBA

 (a) Complaints

 In all cases, five (5) copies of the complaint shall be filed

 with the Secretary of the Board, setting forth a plain and concise statement

 of the facts. A copy of the complaint shall also be served upon the respondent and proof of service filed with the Secretary.

 (b) Notification of Hearing

 Upon the filing of the complaint, as provided above, the Secretary

 of the Board shall notify both the complainant and respondent either by

 certified mail (return receipt requested) or by personal service

 of the time and place of the hearing of the charges. If an Order of

 Suspension 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, and be served either in person or by registered or

 certified mail (return receipt requested) with a copy of such Order of

 Suspension. The first hearing shall take place within thirty (30) days of filing of the complaint, unless waived in writing by the respondent.

 (c) Continuances

 The matter of granting or refusing to grant a continuance of a hearing is

 within the discretion of the Board. Except under extraordinary

 circumstances, the hearing shall not be continued at the request of any of the

 parties to a proceeding or their attorneys, unless received in writing at the Board's offices at least three days before the scheduled hearing date.

 (d) Stipulations

 Parties may, on their own behalf, or by counsel, stipulate and agree in

 writing, or on the record. The fact(s) so stipulated shall be considered as

 evidence in the proceeding, provided that the Board, after giving notice to

 the parties, may require the presentation of evidence to substantiate the

 matters so stipulated.

 (e) Sufficiency of Charges – Objections to

 Motions or objections to the sufficiency of written charges must be filed or

 made prior to or at the bearing before the Board.

Section 3. HEARING PROCEDURE: APPEALS FROM GRIEVANCES UNDER THE CBA

1. Notice of Appeal

In cases arising under the CBA, the Board’s jurisdiction to hear and decide grievances arising out of the imposition of discipline of officers is invoked by the filing of a notice of appeal to the Board within the time provided by Article XVI, Section D and Article XVIII, Section E, of the CBA or such other applicable provision of a CBA.

1. Notification of Hearing

Upon the filing of the notice of appeal, as provided above, the Secretary of the Board shall notify both the Village Manager and the Grievant either by registered or certified mail (return receipt requested) or by personal service of the fact and date of the filing of the notice of appeal, together with a proposed date or dates for the conduct of the appeal hearing. The date for the hearing shall then be established by mutual agreement of the Board, the Village (or its counsel), and the grievant and/or his Union representative and/or counsel.

1. Continuances and stipulations shall be entertained in accordance with Section 2, subsections c and d above.

Section 4 SUBPOENAS

1. Either the complainant or the respondent (or in the case of an appeal of a disciplinary action arising under the CBA, the grievant or the Village) may, at any time make application to the Board by filing with it a written request for subpoenas for any individual to appear for a hearing or to 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 of the age of twenty-one (21) years and upwards 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.
2. 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 5. SERVICE

 All papers required by these Rules and Regulations to be served shall be delivered

 personally to the party designated, or mailed by the United States mail in an

 envelope properly addressed, with postage prepaid, at the party’s last

 known residence. 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

Section 6. FILING

 All papers may be filed with the Board by mailing them or delivering them

 personally to the Secretary of the Board of Fire and Police Commissioners at the Village Hall, Carol Stream, Illinois 60188. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received at 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 7. FORMS OF PAPER

 (a) All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.

 (b) If typewritten, the lines shall be double-spaced except that long quotations

 may be single-spaced and indented.

1. All papers shall not be larger than 8½ inches wide by 11 inches long and

 shall have inside margins of not less than one inch.

1. The original of all papers filed shall be signed in ink by the party filing the

 paper or by an officer, agent or attorney thereof.

1. If papers are filed by an attorney, his/her name and address shall appear

 thereon.

Section 8. 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 day is Saturday, Sunday, or is a

 holiday as defined or fixed in any Statute now or hereafter in force and in the State,

 and then it shall also be excluded. If the day succeeding such Saturday, Sunday or

 holiday is also a holiday or a Sunday, then such succeeding day shall also be

 excluded.

Section 9. SUSPENSION IN CASES NOT ARISING UNDER THE CBA

1. The Board may suspend any member of the Police Department who is not covered by the CBA and against whom charges have been preferred, pending a hearing of the charges by the Board, but not to exceed thirty (30) days, without pay, at any one time.
2. The Chief of the Police Department shall have the right to suspend any

officer under his/her command who is not covered by the CBA for a period of not to exceed five (5) days, provided no charges for the same occurrence have been filed and are pending before the Board, and the Chief shall notify the Board in writing within twenty-four (24) hours of the time of such suspension. Any Police Officer so suspended may appeal to the Board for a review of the suspension within five (5) calendar days after being notified of such suspension by filing notice of such appeal in writing with the Secretary of the Board. A hearing shall be had upon such appeal, and due notice given to the officer so suspended in the same manner as if charges were originally filed before the Board.

1. Upon such appeal, the Board may sustain the action of the Chief of the

Department, may reverse it with instructions that the officer so suspended receive his/her pay for the period involved, may suspend the officer for an additional period of not more than thirty (30) days, or discharge him/her depending on the evidence presented.

# Section 10. SUSPENSIONS IN CASES ARISING UNDER THE CBA

In cases arising under the CBA, the authority of the Chief of the Police Department to suspend officers under his command shall be as provided in Article XVI, Section B of the CBA.

Section 11. DISCHARGE OR SUSPENSION AFTER HEARING: CASES NOT ARISING UNDER THE CBA

1. Discharge from office, or suspension from service in the Police Department in cases not arising under the CBA shall be in compliance with Statute.
2. The Board shall, within a reasonable time after the hearing is completed,

 enter its finding on the records of the Board.

Section 12. DATE OF HEARING

 In cases not arising under the CBA, 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.

 In cases arising under the CBA, the time for hearing of the appeal shall be

 established by mutual agreement of the Village, the grievant and/or Union, and

 the Board. Continuances may be granted from time to

 time upon motion of any part of the proceeding by order of the Board, in accordance with Section 2(c) of this Chapter VI. Where all parties and members of the Board agree, a continuance may be granted to the parties without a need for a formal meeting of the Board to act upon the granting of such a continuance.

Section 13. FINDING AND ORDER: CASES NOT ARISING UNDER THE CBA

 In cases not arising under the CBA, if any member of the Police Department shall

 be found guilty of the charges preferred against him/her after a hearing by the Board,

 he/she may be removed, discharged, or suspended for a period not exceeding thirty

 (30) days, without pay.

Section 14. VIOLATION OF RULES

 All members of the Police Department shall be subject to the Rules and Regulations

 of the department, and the Rules and Regulations of the Board, and a violation of

 such Rules or Regulations shall be cause for the filing of charges before the Board

 and/or discipline imposed by authority of the Chief of Police.

Section 15. VIOLATION OF LAW

 Any violation of the laws of the Village of Carol Stream, Illinois, or State or Federal

 law, by any member of the Police Department of the Village of Carol Stream shall

 be cause for the filing of charges against said officer and/or discipline imposed by

 authority of the Chief of Police.

Section 16. FINDING AND DECISION: CASES NOT ARISING UNDER THE CBA

 In cases not arising under the CBA, the finding and decision of the Board, following

 a hearing of charges, shall be preserved by the Secretary, the notice of said finding

 and decision sent to the officer involved and the department head 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.

## Section 17. FINDING AND DECISION: CASES ARISING UNDER THE CBA

In cases arising under the CBA, the Board shall issue a written opinion containing findings of fact and its decision as to whether the discipline imposed by the Chief of Police was or was not for just cause. Such written opinion shall be issued within thirty (30) calendar days following the close of the hearing or the submission of briefs by the parties, whichever is later. If the Board should find that the discipline was for just cause, it shall deny the grievance and sustain the disciplinary action imposed by the Chief of Police. If the Board should find that the discipline imposed by the Chief of Police was not for just cause, it shall have the authority to order reinstatement of a discharged officer or revocation of the suspension of a suspended officer. Such reinstatement or revocation may be with or without backpay, in the informed judgment of the Board in the implementation of the concept of just cause.

 **CHAPTER VII -- ILLINOIS POLICE TRAINING ACT**

Section 1. PROBATIONARY TRAINING

 By reason of the fact that the Village of Carol Stream has adopted the provisions of

 the Illinois Police Training Act, every probationary officer appointed by this Board

 shall take and complete an approved training course within a period of six (6)

 months of the date of his/her initial employment or such other date as is approved

 by Statute and the Board, and shall be certified by the Illinois Governmental Law

 Enforcement Officers Training Board that he/she has successfully completed said

 course.

Section 2. BOARD DIRECTION OF TRAINING

 Said course shall be taken in an approved school designated by the Board and on

 such dates as the Board shall designate.

Section 3. EFFECT OF NON-PASSAGE OF TRAINING

 Failure of said probationary Police Officer to take said course at such school and at

 such times as designated by the Board, or failure to pass such course, shall result in

 immediate discharge of such probationary Police Officer.

 **CHAPTER VIII -- GENERAL**

Section 1. SAVINGS PROVISION

 The sections, paragraphs, sentences, clauses and phrases of these Rules are

 severable, and if any phrase, clause, sentence, paragraph or section of these Rules

 shall be declared unconstitutional, invalid, or unenforceable by the valid judgment

 or decree of a court of competent jurisdiction, such unconstitutionality, invalidity or

 unenforceability shall not affect any of the remaining phrases, clauses, sentences,

 paragraphs and sections of these rules.