

# Rules and Regulations of the Village of Glendale Heights Board of Police Commissioners

## **CHAPTER I** **ADMINISTRATION**

**SECTION 1 - NAME** The official name of this Commission shall be the BOARD OF POLICE COMMISSIONERS OF THE VILLAGE OF GLENDALE HEIGHTS, ILLINOIS, hereafter referred to as the “Board” or “GHBPC” in these Rules and Regulations.

**SECTION 1.1 - SOURCE OF AUTHORITY** The GHBPC has been established under the Illinois Compiled Statutes, Division 2.1, Board of Fire and Police Commissioners, 65 ILCS 5/10-2.1 et seq., and in accordance with Village of Glendale Heights Village Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-1, Ord. 66-1, 2-15-66; Ord. 66-8, 4-19-66; Ord. 95-84, 12-21-95; Ord. 95-85, 12-21-95; Ord. 99-19, 03-08-99. Should any chapter, section, sub-section, paragraph, sentence, clause, phrase or word of these Rules and Regulations be declared invalid or unconstitutional by a court of competent authority, such invalidity or unconstitutionality shall not affect any of the remaining chapters, sections, sub-sections, paragraphs, sentences, clauses, phrases or words, since the same would have been lawfully enacted without the incorporation of any such invalid or unconstitutional chapter, section, sub-section, paragraph, sentence, clause, phrase or word.

**SECTION 2 - DEFINITIONS** The word “officer” shall mean any person holding a permanent sworn office in the Glendale Heights Police Department. The word “probationary officer” shall mean any person holding a probationary sworn office in the Glendale Heights Police Department, not having been certified in his rank and issued his permanent Commission Card by the GHBPC. The word “commissioner” shall mean any person properly appointed to serve as a Police Commissioner on the Board in accordance with Division 2.1, Board of Fire and Police Commissioners, Appointment - Terms of Office, 65 ILCS 5/10-2.1-1 and Village of Glendale Heights Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-1, Ord. 66-1, 2-15-66; Ord. 66-8, 4-19-66; Ord. 95-84, 12-21-95; Ord. 95-85, 12-21-95; Ord. 99-19, 03-08-99. The masculine noun or pronoun includes the feminine. The singular included the plural, and the plural, the singular.

**SECTION 3 - COMMISSIONER’S DUTIES** The Board shall annually, at the first meeting in June, elect a person to serve as Chair and a person to serve as Secretary. Once elected, they shall hold that office until the election the following year or, in case of resignation, removal or refusal to act, until their successor is duly qualified and elected. The Chair of the Board shall be the

presiding officer at all meetings. The Secretary shall see that Minutes are taken at all meetings, including both regular and special, and shall be the custodian of all the forms, papers, books, records and completed as well as currently-in-progress examinations of the Board. He shall also insure that duplication and off-site storage of records as currently mandated by Village of Glendale Heights Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-3, Ord. 2000-36, 6/1/00 is correctly carried out.

**SECTION 4 - MEETINGS** The Board shall meet once a month at a Regular Meeting, notice of the time and place of such meetings having been properly posted publicly in accordance with Public Notice, 5 ILCS 120/22.02(a). The meetings are public in accordance with the Open Meetings Act, 5 ILCS 120/1.01 et seq.

Special Meetings may be called from time to time, notice thereof to be properly posted no less than forty-eight (48) hours prior to convening. Special Meetings are called by filing a notice, in writing, with the Secretary of the Board, signed by the Chair or by any two members of the Board. The notice must contain a brief statement of the business to be conducted at the meeting and state the date, time and place where the meeting will be held. Nothing outside the business stated in the published notice can be considered by the Board at the meeting.

During any Regular or Special Meeting, upon a majority vote of a quorum present, the Board can vote to close a portion of the meeting or to hold a closed meeting at a specified future date, as provided in Open Meetings Act, 5 ILCS 120/2c and closed in accordance with Open Meetings Act, 5 ILCS 120/2a. Such closed session or meeting may be limited to Board members and such invited persons as the Board may deem necessary. The Secretary shall ensure that the minutes of the closed session or meeting are recorded and kept. Recordings of such closed sessions or meetings will be maintained for a period not less than eighteen (18) months and will be kept secure by the Board Secretary. Such recordings are not open for public inspection and are not subject to discovery, unless a pending lawsuit is one filed to enforce the provisions of the Open Meetings Act. 5 ILCS 120/2.06(a). - The vote for such closed session or meeting must be taken at an open meeting. Open Meetings Act, 5 ILCS 120/2a. Notice requirements for any Regularly Scheduled or Special Meeting will be in accordance with the Open Meetings Act, 5 ILCS 120/2.02.

**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** The order of business at the Regularly Scheduled Meeting shall be:

1. Roll call of Commissioners
2. Recognition of Visitors
3. Approval of Minutes of Previous Meeting
4. Communications
5. Unfinished Business

6. New Business
7. Remarks from Visitors
8. Adjournment

**SECTION 7 - PROCEDURE** The parliamentary procedure prescribed in *Robert's Rules of Order* shall be followed as far as practicable.

**SECTION 8 - AMENDMENTS** Amendments to these Rules and Regulations may be made at any Regularly Scheduled Meeting or any Special Meeting where proper notice of such proposed action has been made. All such Amendments shall be printed forthwith for distribution and Notice shall be given of the place or places where said Rules and Regulations may be obtained. Such Notice shall be published in a newspaper with a general circulation within Glendale Heights and DuPage County. The Notice shall specify the date, not less than ten (10) days subsequent to the date of such publication, when such Rules and Regulation shall go into effect. Division 2.1, Board of Fire and Police Commissioners, Rules - Publications, 65 ILCS 5/10-2.1-5.

**SECTION 9 - ANNUAL REPORT AND BUDGET REQUEST** The Board shall submit an annual report of its activities in accordance with Division 2.1, Board of Fire and Police Commissioners, Annual report - Budget request, 65 ILCS 5/10-2.1-19 and a budget request for the ensuing year as required by Village of Glendale Heights Ordinance and the aforementioned 65 ILCS 5/10-2.1-19. All charges made to and paid out of the approved Police Commission Budget must be approved, in writing, by the Commission Chair or his designee.

## **CHAPTER II**

### **APPLICATIONS AND REQUIREMENTS**

**SECTION 1 - APPLICATION FORMS** Applications for examination shall be filed upon completed printed or electronic forms furnished by the Board and applicants must comply with the requirements of the form by completing it in every respect. A completed application must be timely filed with the Board before applicant can proceed with taking an examination. Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought. A fifteen (\$15.00) dollar fee shall accompany the completed form at the time of filing, without which, such application will be deemed incomplete. The Board may determine to waive the filing fee if deemed necessary.

The applicant shall furnish, with his completed application form, a copy of his Military Service Record (if applicable), Military Discharge Papers (if applicable), Certified Copy of Birth Certificate, High School Diploma or G.E.D. Certificate and if applicable a copy of college transcripts indicating completion of a minimum of sixty (60) semester hours or ninety (90) quarter hours of college level study from an institution accredited by any of the Regional and National Accrediting Agencies recognized by the United States Department of Education, or evidence of an Associate Degree or higher. Evidence of a high school diploma or equivalent would allow a candidate to meet this minimum education requirement and will make a candidate eligible to participate in the examination process. Any applicable evidence of having completed

two (2) years or more of military service in the United States Armed Forces with an Honorable Discharge (DD Form 214 long form) should also be submitted by the applicant.

A false statement or material omission made in an application for examination, connivance in any false statement made in any certificate or other documentation which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination process, and, if appointed, shall be regarded as good cause for discharge once discovered.

**SECTION 2 - RESIDENCE** Applicants for examination must be citizens of the United States and/or an alien legally admitted for permanent residence.

**SECTION 3 - TRAITS** Every applicant must be of good moral character, of temperate habits, of sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests upon the applicant.

**SECTION 4 - AGE** Applicants shall be under the age of thirty-five (35) years at the time of posting of the Final Eligibility List by the Board. Division 2.1, Board of Fire and Police Commissioners, Examination of applicants; disqualifications, 65 ILCS 5/10-2.1-6. Applicants meeting this requirement but attaining the age thirty-five or greater during the life of the Eligibility List will continue to be deemed suitable for appointment with regards to the age requirement. Division 2.1, Board of Fire and Police Commissioners, Register of eligibles, 65 ILCS 5/10-2.1-14. Applicants who are twenty (20) years of age and will have successfully completed two (2) years of law enforcement studies at an accredited college or university no later than six (6) months after the date of the written exam shall be eligible to take the initial examination for Police Officer. Any such applicant who is appointed under this provision of these Rules and Regulations shall not have the power of arrest or be permitted to carry firearms until he reaches the age of twenty-one (21) years. Other applicants not having such college education must be twenty-one (21) years of age. Division 2.1, Board of Fire and Police Commissioners, Examination of applicants; disqualifications, 65 ILCS 5/10-2.1-6.

**SECTION 5 - DISQUALIFICATION** The Board may refuse to examine an applicant or, after examination, to certify him as eligible:

- a) Who is found lacking in any of the established preliminary requirements for the position 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 intoxicating beverages or is found to have taken or used drugs and/or narcotics illegally.
- d) Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in Division 2.1, Board of Fire and Police Commissioners, Examination of applicants; disqualifications, 65 ILCS 5/10-2.1-6, or who has been convicted of any crime involving domestic violence or battery.

- e) Who has been dismissed from any public service for good cause.
- f) Who has attempted to practice any deception or fraud in his or her application, including material omission.
- g) Who may be found disqualified in personal qualifications or health.
- h) Whose character and employment references are unsatisfactory.
- i) Who does not possess a high school education or its equivalent.
- j) Who is or has been classified by his or her Local Selective Service Draft Board as a conscientious objector.
- k) Who has attained his thirty-fifth birthday on or before the date of posting the Eligibility List by the Board, unless exempt in accordance with Division 2.1, Board of Fire and Police Commissioners, Examination of applicants; disqualifications, 65 ILCS 5/10-2.1-6, as amended.

Any applicant, or eligible, deemed disqualified hereunder shall be notified in writing by the Board.

**SECTION 6 - PHYSICAL AND MEDICAL EXAMINATIONS** Applicants for original appointment may be subject to a Physical Aptitude or Physical Agility test and shall also be required to submit to a thorough medical examination by a licensed physician appointed by the Board (which may include a test of the applicant's vision, hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics).

**SECTION 7 - NOTICE OF ACCEPTANCE** The Secretary will notify all applicants whose applications have been accepted by the Board to be present at Orientation and subsequent examination stages. All applicants must present the Board with an executed Physician's Certificate that they are physically capable of participating in a strenuous Physical Aptitude and/or Physical Agility test.

**SECTION 8 - RELEASE OF LIABILITY** All applicants shall execute and deliver to the Board a form releasing the Village of Glendale Heights of all liability in the administration of the Physical Aptitude and/or Physical Agility test.

**SECTION 9 - DISPOSITION OF RECORDS** The Board shall retain the records of all applicants not selected for appointment in accordance with the Local Records Act, 50 ILCS 205/, as amended. All psychological, polygraph and medical records shall be maintained confidentially along with the applicant's other materials. The records shall be stored in a secure location and access shall be restricted to Board members. Records approved for destruction shall be disposed of by shredding or other means, in accordance with the Local Records Act, 50 ILCS 205/, as amended. The records shall be maintained for a period not less than five years.

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

**SECTION 1- NOTICE OF EXAMINATIONS** Examinations shall be held on the dates fixed by the Board and advertised in a general coverage newspaper in accordance with Division 2.1, Board of Fire and Police Commissioners, Rules - Publications, 65 ILCS 5/10-2.1-5.

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 2 - EXAMINATIONS** The Board shall call examinations to fill vacancies in the class of service in which vacancies are likely to occur. A call for such examination shall be entered into the Minutes of the Board and shall include a statement of:

- a) The date, time and place where such examination will be held.
- b) The location where applications may be obtained and the deadline by which completed applications must be returned to the Board.
- c) The position to be filled from the resulting eligibility list.

**SECTION 3 - TYPE OF EXAMINATIONS** Applicants must attend the Orientation program sponsored by the Board. In addition, applicants may be required to participate in a Physical Aptitude and/or Physical Agility test, written and oral examinations as well as Professional Examinations and Tests, described more particularly below. The selection process uses only those rating criteria or minimum qualifications that are, in the opinion of the Commission, job related, in accordance with Division 2.1 Board of Fire and Police Commissioners, Examination of applicants: disqualifications, 65 ILCS 5/10-2.1-6 (h). All elements of the selection process are administered, scored, evaluated and interpreted in a uniform and unbiased manner. No examination shall contain questions regarding applicant's political or religious opinions or affiliations. At the time of application all applicants are informed in writing of the expected duration of the selection process, including the two (2) year expiration of the Final Eligibility List in accordance with Division 2.1, Board of Fire and Police Commissioners, Original appointments: Preferences: Limitation, 65 ILCS 5/10-2.1-9 (a).

**SECTION 4 - EXAMINATIONS - WEIGHTING** The following examinations shall be conducted by the Board. The sequence of administering the examinations may vary at the discretion of the Board. The examinations that will be conducted will be disclosed, in writing, to the candidates at the time of application, along with the expected duration of the selection process and the policy on re-application. Failure to achieve a passing grade in any examination disqualifies the applicant from any further participation and consideration for appointment. Determination of Pass or Fail on any of the Examinations rests soundly with the Board.

| <u>Examination</u>                 | <u>% of Total for List Ranking</u> | <u>Minimum Passing</u> |
|------------------------------------|------------------------------------|------------------------|
| Orientation                        | -                                  | Attendance Mandatory   |
| Physical Aptitude/Physical Agility | -                                  | Pass or Fail           |
| Written                            | 100%**                             | *                      |
| Background Investigation           | -                                  | Pass or Fail           |
| Oral (Interview)                   | -                                  | Pass or Fail           |
| Psychological                      | -                                  | Pass or Fail           |
| Polygraph                          | -                                  | Pass or Fail           |
| Medical Examination and Screening  | -                                  | Pass or Fail           |
|                                    | <u>100%**</u>                      |                        |

\* To be announced by the Board prior to conducting the examination and may vary based upon the examination or the testing agency used by the Board.

\*\* Note: To any applicant who is entitled to military, educational or law enforcement certification preference points whose name appears on the final Eligibility List, the Board shall add up to five (5) points upon the written request by the applicant, when such request is made in a timely manner according to these Rules and Regulations.

\*\*\* As defined in Section 9 below.

**SECTION 5 - ORIGINAL APPOINTMENT - PHYSICAL APTITUDE and/or PHYSICAL AGILITY EXAMINATION** All applicants may be required to submit themselves to a Physical Aptitude and/or Physical Agility test. Only applicants who have successfully completed the Physical Aptitude and/or Physical Agility test will be permitted to continue in the testing process. Determination of successful completion rests soundly with the Board. Applicants who fail to complete the examination will be notified and eliminated from all further consideration.

**SECTION 6 - ORIGINAL APPOINTMENT - ORAL EXAMINATION (INTERVIEW)** All Board members shall endeavor to participate in the Oral Examination, however the examination may be validly administered by no less than two (2) Commissioners. Questions shall be asked of the applicant that will enable the Board to properly evaluate his or her suitability for police officer. On completion of the Oral examination, the Commissioners will discuss and evaluate the applicant's responses. Determination of successful completion rests soundly with the Board.

Failure to successfully complete the examination as scheduled will eliminate the applicant from all further consideration. Applicants who fail to pass the examination will be notified in writing and eliminated from all further consideration.

**SECTION 7 - INITIAL ELIGIBILITY LIST** The Board will prepare an "Initial Eligibility List" of the applicants based on having attended the Orientation, successfully completing the Written Examination, with a score of 70 % or higher, and successfully completing the Physical Aptitude and/or Physical Agility Examination. The applicants will be listed in descending order according to their Written Examination score. This Initial Eligibility List is subject to change with the addition of Veteran's Preference Points, Educational Preference Points and Law Enforcement Certification Preference Points, as prescribed by Division 2.1, Board of Fire and Police Commissioners, Veteran's and educational preference, 65 ILCS 5/10-2.1-8 and Division 2.1, Board of Fire and Police Commissioners, Original appointments; Preferences; Limitation, 65 ILCS 5/10-2.1-9. A copy of the Initial Eligibility List will be sent to each applicant appearing thereon, together with the requirements and procedure for claiming Veteran's Preference Points, Educational Preference Points and Law Enforcement Certification Preference Points.

Applicants who are eligible for Veteran's Preference Points, Educational Preference Points and Law Enforcement Certification Preference Points shall make a claim, in writing with proof thereof, within ten (10) days after the date of posting the Initial Eligibility List or such claim shall be deemed waived. No untimely made claims will be considered and date of postmark will be considered proof of timely made claims.

**SECTION 8 - FINAL ELIGIBILITY LIST** The Board will prepare a "Final Eligibility List" which shall include validly claimed preference points. In the event of a tie score, the placement of the tied applicant's names on the list shall be determined by lot, in the presence of a quorum of the Board in whatever manner the Board deems appropriate. A dated copy of the Final Eligibility List will be sent to each applicant appearing thereon. Such copy shall include the date of expiration of the List, two (2) years hence.

Applicants shall be appointed from the Final Eligibility List 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 successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, ahead of non-certified applicants. Division 2.1, Board of Fire and Police Commissioners, Register of eligibles, 65 ILCS 5/10-2.1-14 and Illinois Police Training Act, 50 ILCS 705/1 et seq. Upon the last applicant on the Final Eligibility List either being offered conditional appointment as a Probationary Police Officer or found by the Board to be unqualified, or upon reaching the expiration date printed on the List, said Final Eligibility List will then be deemed expired. A new examination will follow.

Appointment from this Final Eligibility List is subject to satisfactorily passing the Oral Examination, In-depth Psychological Examination, the Polygraph Test, the Background



Investigation and a thorough Medical Examination (which may include a test of the applicant's vision, hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics).

**SECTION 9 – ALTERNATIVE ELIGIBILITY REGISTER-** All persons must meet the following criteria to be considered for placement on the Alternative Eligibility Register pursuant to 65 ILCS 5/10-2.1-6:

- a) Certification from the Illinois Law Enforcement Training and Standards Board as a certified full-time police officer; and
- b) Previous continuous service as a police officer in the State of Illinois for a minimum of two years; and
- c) In good standing in the police department in which the person currently serves or separated from in good standing with no adverse employment action; and
- d) Eligible to be granted a waiver of basic training from the Illinois Law Enforcement Training and Standards Board. Alternative eligibility applicants who have been determined by the Board to meet the preceding requirements will not be required to attend the orientation or take the written examination. However, all candidates must successfully complete all other phases of the entry process as outlined in Section 3, Examination Process for Police Officer Candidates, prior to an offer of employment being given. The Chief of Police shall present the qualifications of any person eligible for the Alternative Eligibility Register to the Board of Police Commissioners for approval. Applicants approved for placement on the Alternative Eligibility Register will be listed in order of excellence based on their final score as determined by the Board.

**SECTION 10 - PROFESSIONAL EXAMINATIONS AND TESTS** Each applicant for an original appointment shall submit to a Polygraph Device Deceptive Examination, commonly known as a "lie detector test", at such time and place as the Board may designate. Such test shall be administered by professional personnel trained in polygraph procedures and given without expense to the applicant. Prior to such test, each applicant shall be provided with a written list of areas from which polygraph questions shall be drawn. Failure of the applicant to take or successfully complete the test shall eliminate him from further consideration. The result of the examination when taken outside the context of any previous examinations is not to be taken as the sole determinant as to disqualification. Following Board discussion, together with other information gathered by the Board, the applicant shall be notified of the results of the examination in writing. Determination of successful completion rests within the sound discretion of the Board.

Each applicant for an original appointment shall also submit to an In-depth Psychological Examination by such 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 examination shall eliminate him from further consideration. Determination of successful completion rests within the sound discretion of the Board. The applicant shall be notified of the results of the test in writing.

Each applicant for an original appointment shall also submit to a medical examination by a licensed physician appointed by the Board (which may include a test of the applicant's vision,

hearing, for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics). The applicant shall be notified of the results of the test in writing.

**SECTION 11 - PROBATIONARY APPOINTMENT** All vacancies in the Police Department shall be filled by individuals from the Final Eligibility List in the order in which their names appear on the List and having successfully met all the requirements previously listed. Pursuant to Section 8, second paragraph, the Board may choose to appoint certified applicants ahead of non-certified applicants.

All original appointments to the Glendale Heights Police Department shall be for a probationary period of eighteen (18) months. The probationary period for a newly appointed police officer shall commence as of the date he is sworn-in.

Any person whose name appears on the Final Eligibility List may decline appointment. The name of any applicant who so declines will be stricken from the List permanently.

Probationary officers may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers by a collective bargaining contract, statute or these Rules and Regulations.

**SECTION 12 - CERTIFICATION** Final certification of Probationary Patrol Officers shall be made by the Board subject to successful completion of the Police Department's prescribed Field Training Program and the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, Illinois Police Training Act, 50 ILCS 705/1 et seq., within the prescribed probationary period of eighteen (18) months. Failure to successfully complete both the Field Training Program and the Minimum Standards Basic Law Enforcement Training Course within the prescribed period shall be a ground for dismissal. Determination of Final Certification rests solely within the sound discretion of the Board.

## **CHAPTER IV**

### **PROMOTIONAL EXAMINATIONS**

**SECTION 1 - GENERAL** The Board, by its rules, shall provide for promotion in the Glendale Heights Police Department on the basis of ascertained merit, seniority in service and examination test results, and shall provide, in all cases where it is practicable, that vacancies shall be filled by promotion.

All examinations for promotion to the rank of Police Sergeant shall be competitive among such members of the Patrol Officer rank as desire to submit themselves to the process, provided they have been a sworn police officer on the Glendale Heights Police Department for no less than five (5) years as of the date of the written examination. Each time the test is administered it is open to all qualified members regardless of the number of times the member has previously tested.

All promotions shall be made from the three (3) individuals having the highest rating on the unexpired promotional eligibility register, and where there are less than three (3) names on

the unexpired promotional eligibility register, as originally legally posted, or remaining thereon after appointments have been made there from, appointments to fill existing vacancies shall be made from those names or the name remaining on the unexpired promotional eligibility register. Upon selection, the officer will be sworn-in as a Probationary Sergeant. The Probationary Sergeant must successfully complete a one (1) year probationary term as a Probationary Sergeant, with performance evaluations made every three months by the Chief of Police and one final evaluation made immediately prior (during the eleventh month) to the completion of probation. This final evaluation will be submitted to the Board by the Chief of Police along with a recommendation to either certify or not certify the Probationary Sergeant to the rank of Police Sergeant. The Board will then act to either certify the Probationary Sergeant to the rank of Police Sergeant or will act to return the Probationary Sergeant to the rank of Patrol Officer with a concurrent reduction in pay to that of his rank of Patrol Officer, as per contract. If a Probationary Sergeant is not recommended for certification by the Chief of Police, the Probationary Sergeant may exercise his/her rights under that certain collective bargaining agreement between the recognized bargaining agent, currently the Illinois Fraternal Order of Police Labor Council, representing Sergeants, and the Village of Glendale Heights. Following such action, the Board may affirm the denial of certification or certify the officer to the rank of Police Sergeant. The examination process and the rules governing the process for promotion are specified below. The Board shall strike off the names of the candidates for promotional appointment after they have remained thereon for more than three (3) years, provided there is no vacancy existing which can be filled from the promotional eligibility register. For the purpose of determining that a vacancy exists, the Board must have been properly served with notice from the Chief of Police to fill an existing vacancy prior to the date the name (s) are to be stricken from a promotional eligibility register. Division 2.1, Board of Fire and Police Commissioners, [Promotions], 65 ILCS 5/10-2.1-15.

**SECTION 2 - EXAMINATIONS - WEIGHTING** The following components of the examination process shall be based on a scale of 1 to 100. The final score for purposes of listing the candidates on the promotional eligibility register shall be determined as follows:

| <b>Examination</b>   | <b>% of Total Grade</b> | <b>Max. Points</b> |
|--|-------------------------|--------------------|
| Written  | 45%                     | 45                 |
| Oral Examination/ Promotional Assessment   | 40%                     | 40                 |
| Department Merit and Efficiency  | 10%                     | 10                 |
| Seniority (10 points per year, or part thereof, beginning with the sixth year of service on the Glendale Heights Police Department, up to a maximum of 100 points) | <u>5%</u>               | <u>5</u>           |
|  | 100%                    | *                  |

\* Candidates who are qualified, Division 2.1, Board of Fire and Police Commissioners, Promotional preferences, 65 ILCS 5/10-2.1-10 and have timely requested credit for military preference points in accordance with Division 2.1, Board of Fire and Police Commissioners, Preference - Time for allowance, 65

ILCS 5/10-2.1-12 and who are otherwise qualified shall have those points added to their score on the promotional eligibility register as specified in Division 2.1, Board of Fire and Police Commissioners, Promotional examinations - Credit to veterans, 65 ILCS 5/10-2.1-11, as amended.

A total score of 70 or higher is required to be placed on the promotional eligibility register.

**SECTION 3 - TOTAL SCORE** A Candidate's total score shall consist of the combined scores on the Glendale Heights Police Department Merit and Efficiency portion, the Written examination consisting of uniform, job-related questions, the Oral Examination/Promotional Assessment using standardized rating scales, the Seniority portion and Veteran's preference points, if applicable. The results of the Written Examination and the Oral Examination/Promotional Assessment shall be recorded on a standardized form. In the event of a tie score, the placement of the tied Candidates' names on the promotional eligibility register shall be determined by seniority, in accordance with the latest annually published Seniority List.

**SECTION 4 - PROMOTIONAL EXAMINATION REVIEW AND APPEAL PROCESS**

Promotional Candidates have the right to challenge any aspect of the promotion process and may do so by filing a written request for review and appeal with the Board.

- a. The process for requesting such review and appeal may be filed at any time during the testing period for promotion if a candidate is dissatisfied with the results of a specific examination component. In all cases such review and appeal must have been submitted in writing no later than ten (10) days following the posting of the Preliminary Eligibility Register.
- b. All such requests shall be forwarded to the Board via the Chief of Police who shall forward such request with his comments.

Administrative review and appeal procedures shall be conducted by the Board in accordance with these Rules. Final decision on review and appeal rests solely with the Board which shall make such decision in writing and deliver it to the Candidate appellant.

Within the scope of the review and appeal process the Candidate appellant may:

- (a) Request to review the answer key to the written examination to the extent allowed by current Federal and Illinois laws and statutes and with the permission of the testing service contracted with by the Board.
- (b) Review the written results of scored elements of the examination process.
- (c) Contest the content of the Glendale Heights Police Department Merit and Efficiency portion.

**SECTION 5 - DISPOSITION OF PROMOTIONAL RECORDS** The Board shall retain the records of all Candidates not promoted in accordance with the Local Records Act, 50 ILCS 205/, as amended. All Written examination and Oral Examination/Promotional Assessment standardized forms shall be maintained confidentially along with the applicant's other materials. The records shall be stored in a secure location and access shall be restricted to Board members. Records approved for destruction shall be disposed of by shredding or other means, in accordance

with the Local Records Act, 50 ILCS 205/, as amended. The records shall be maintained for a period not less than five years after the officer candidate's separation from service.

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

**SECTION 1 - RANK** The order of rank in the Glendale Heights Police Department shall be as provided in the Table of Organization as specified by ordinance and in accordance with the municipal budget.

**SECTION 2 - CLASSIFICATION** The Board classifies such offices in the Glendale Heights Police Department for the purpose of establishing and maintaining standards of examinations and promotions based upon the job descriptions and in accordance with departmental regulations.

**SECTION 3 - OATH OF OFFICE** Before entering duty, all persons about to become members of the Glendale Heights Police Department, shall take the following oath, sworn to before any person authorized to administer oaths in the State of Illinois:

“I \_\_\_\_\_, do solemnly swear or affirm that I will support the Constitution of the United States, and the Constitution of the State of Illinois, 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 \_\_\_\_\_, \_\_\_\_\_.

OFFICIAL ADMINISTERING OATH.”

**CHAPTER VI**  
**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 Illinois Code of Civil Procedure, 735 ILCS 5/1-101 et seq., do not apply to hearings brought before or heard by the Board.
- b) “Counsel” used herein means a person who is currently licensed and in good standing to

practice law in the State of Illinois.

- c) No rehearing, reconsideration, modification, vacation or alteration of a decision made by the Board shall be allowed.
- d) "Cause" is some substantial shortcoming which renders continued employment in some way detrimental to the discipline and/or efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer to no longer occupy his position. The right to determine what constitutes "cause" rests in the sound discretion of the Board.
- e) The Complainant or the 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 Police, is unwarranted. Should the question of a crime be involved, the burden of proof standard "beyond a reasonable doubt" shall not control.
- f) The burden of proof standard "preponderance of the evidence" is defined for purposes of this Board as the greater weight of the evidence, that is to say, it rests with that evidence which, when admitted and fairly considered, produces the stronger impression, has a greater weight and is more convincing as to its truth when weighed against the evidence admitted in opposition thereto.
- g) Police Officers not having been certified by the Board as having satisfactorily completed their probation may be summarily dismissed by the Board, with or without cause, and are not entitled to the protections afforded to other full-time certified police officers by contract, statute, ordinance or these Rules and Regulations.
- h) All hearings by the Board shall be public, in accordance with the Open Meetings Act, 5 ILCS 120/1.01 et seq. and these Rules and Regulations.
- i) At the time and place of any hearing by the Board, one or both parties may be represented by counsel, at their own expense, if they so choose.
- j) All proceedings before the Board during the conduct of a hearing shall be recorded by a licensed court reporter, furnished and employed by the Board.
- k) The records of the hearing will not be transcribed by the court reporter unless requested to do so by either party and each party making such request will bear the burden of the cost of the individual transcription.
- l) All witnesses to be heard by the Board shall be sworn prior to testifying and the matter of the hearing will be decided by the Board solely on the evidence admitted and properly presented at the hearing.

- m) The Board will first hear the witnesses in support of the charges which have been made against the officer or in the case where the officer appears as an appellant, the witnesses in support of the appeal made by the officer. Thereafter the other party may present and examine those witnesses of its choosing. Each party has the right to cross-examine any witness brought by the other party.

## **SECTION 2 - HEARING PROCEDURE**

- (a) **Complaints:** In all cases written complaints shall be filed, in quintuple, with the Secretary of the Board, or in his absence, with the Chair, setting forth a plain and concise statement of the facts upon which the complaint is based.
- (b) **Probable Cause:** The Board shall have the sole and exclusive right to determine whether or not there exists probable cause for hearing a complaint and may conduct such informal hearings as it deems necessary for such purpose.
- (c) **Notification:** Upon the proper filing of a complaint and upon a finding of probable cause by the Board, the Secretary of the Board shall ensure that the complainant and the respondent, either personally or by certified mail-return receipt requested, restricted delivery, are notified of the time, date and place of the hearing of the charges in the complaint. The respondent shall also be served with a copy of the complaint. If an Order of Suspension Pending a Hearing is entered by the Board, the complainant, respondent, Chief of Police, Village Manager and Village Finance Officer shall be notified of such an order and served with a copy of it, either personally or by certified mail-return receipt requested, restricted delivery.
- (d) **Continuances:** The matter of granting or denying a continuance of a hearing rests solely with the sound discretion of the Board. In the event an Order of Suspension Pending a Hearing has been entered and the respondent requests a continuance, it must be stipulated and agreed that in the event where said respondent is to be retained in his position as a result of a decision by the Board at the conclusion of the hearing, no compensation shall be paid to respondent for the period of said continuance.
- (e) **Stipulations:** A party may, personally or through counsel, stipulate to and/or agree, in writing or on the record, as to evidence of guilt. Any facts so stipulated and/or agreed to shall be considered as properly admitted evidence in the proceeding.
- (f) **Sufficiency of Charges - Objections To:** Motions or objections to the sufficiency of written charges must be filed or made prior to or up until the commencement of the calling and swearing of the first witness. Any such motions or objections are considered waived after that time.

### **SECTION 3 - SUBPOENAS**

- (a) Any party to a hearing before this Board may, at any time before or during the hearing, make a written request to the Board to secure by its subpoena both the attendance and testimony of witnesses and the production of any books, records, papers, accounts or any other documents that may be deemed by the Board to be relevant to the proceeding. On the proper filing of such a request, the Board shall cause such subpoena to issue. Division 2.1, Board of Fire and Police Commissioners, Removal or discharge-Investigation of charges-Retirement, 65 ILCS 5/10-2.1-17
- (b) Service of any subpoena issued by the Board may be served by any person twenty-one (21) years of age or older designated by the party requesting the subpoena. Written requests for a subpoena shall contain the name(s) and address (es) of the individual(s) subpoenaed and/or the location and identity of the books, records, papers, accounts or any other documents to be produced.
- (c) Subpoenas will not be issued for anyone residing outside the State of Illinois. Any requests for continuance by reason of inability to serve a subpoena shall be filed with the Secretary of the Board at least three (3) days before the date set for the hearing. The Board may, in its discretion, waive this time limitation.

**SECTION 4 - SERVICE** All papers and documents under these Rules and Regulations shall be delivered personally to the designated party or mailed, by United States mail, in an envelope properly addressed with postage prepaid, to the designated party at his last known address as indicated on the complaint properly filed with the Board, except as herein otherwise provided. Proof of service may be made by the certification of any person so mailing the paper(s) and/or document(s) or having delivered the same to the designated party personally. Proof of service may also be made by introducing the postal mailing receipt, date stamped by the post office, showing the paper(s) and/or document(s) were mailed by certified mail-return receipt requested and, if required by these Rules and Regulations, restricted delivery. In such case, the green receipt card should also accompany the postal mailing receipt, whether delivered or not.

**SECTION 5 - FILING** All paper(s) and/or document(s) may be filed with the Board by mailing them certified mail-return receipt requested or delivering them personally to the Secretary of the Board at the Village of Glendale Heights Civic Center. For the purposes of these Rules and Regulations, the filing date of any paper(s) and/or document(s) shall be the date it is received in the office of the Board if personal service is made, or when forwarded by mail, the date of the postmark.

### **SECTION 6 - FORMS OF PAPER**

- (a) All papers filed in any proceeding under these Rules and Regulations shall be typewritten or legibly printed in black ink on one side of the paper only.



- (b) All typewritten pages shall be double spaced, except long quotations which may be single spaced and indented.
- (c) All papers shall be letter size (8½" x 11") on white stock with margins not less than 1" on all four sides.
- (d) The original of all papers filed shall be signed in ink by the party filing the paper or its attorney.
- (e) If papers are filed by a parties attorney, the attorneys name, ARDC registration number, office address, and telephone number shall appear thereon.

**SECTION 7 - COMPUTATION OF TIME** The time within which any act under these Rules and Regulations is to be done shall be computed by excluding the first day and including the last, unless the last day is a Sunday or is a holiday as defined by Illinois statute, whereupon 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 8 - SUSPENSION**

- (a) The Board may suspend any member of the Glendale Heights Police Department against whom charges have been properly 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 Police shall have the right to suspend any officer under his command for a period not to exceed five (5) days, without pay, provided no charges for the same offense have been filed and are pending before the Board. The Chief of Police shall notify the Board, in writing, stating the reason, date(s) of suspension and applicable Rule and Regulation violated, no later than twenty-four (24) hours after taking such action. Any police officer so suspended may appeal his suspension to the Board for a review of the suspension within five (5) calendar days of his or her receiving notice of such suspension by properly filing notice of such appeal in writing with the Secretary of the Board in accordance with these Rules and Regulations. A hearing shall be had upon such appeal, with due notice being given, all in accordance with these Rules and Regulations. The burden of establishing that a suspension is unwarranted shall be upon the party bringing the appeal.
- (c) Upon such appeal, the Board may sustain the action of the Chief of Police, may reverse it with instructions that the officer so suspended receive his pay for the period involved, may suspend the officer for an additional period not to exceed thirty (30) days without pay or discharge the officer from the police force, depending of what evidence is properly presented and heard by the Board at the hearing. Division 2.1, Board of Fire and Police Commissioners, Removal or discharge-Investigation of charges-Retirement, 65 ILCS 5/10-2.1-17; Village of

Glendale Heights Village Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-2, Ord. 66-1, 2-15-66, Ord. 95-84, 12-21-95.

**SECTION 9 - DISCHARGE OR SUSPENSION AFTER HEARING**

- (a) Discharge from office, or suspension from service in the Glendale Heights Police Department shall be in compliance with the Illinois Compiled Statutes, Division 2.1, Board of Fire and Police Commissioners, 65 ILCS 5/10-2.1 et seq.; Village of Glendale Heights Village Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-2, Ord. 66-1, 2-15-66, Ord. 95-84, 12-21-95.
- (b) The Board shall, within a reasonable time after the hearing is completed, enter its findings on the records of the Board.

**SECTION 10 - DATE OF HEARING** The time for the hearing of charges shall be set by the Board, within thirty (30) days of the time of proper 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 does not apply to hearings conducted to review suspensions of five (5) days or less imposed by the Chief of Police.

**SECTION 11 - FINDINGS AND DECISION** In the case where a member of the Glendale Heights Police Department is found guilty of the charges filed against him or her after a hearing by the Board, he or she may be removed, discharged or suspended for a period not to exceed thirty (30) days, without pay. Upon an appeal, the Board may sustain the action of the Chief of Police, may reverse it with instructions that the officer so suspended receive his pay for the period involved, may suspend the officer for an additional period not to exceed thirty (30) days without pay or discharge the officer from the police force. Division 2.1, Board of Fire and Police Commissioners, Removal or discharge-Investigation of charges-Retirement, 65 ILCS 5/10-2.1-17; Village of Glendale Heights Village Ordinance, Chapter 2, Board of Police Commissioners, Section 2-2-1, Ord. 66-1, 2-15-66, Ord. 95-84, 12-21-95.

The findings and decision of the Board, following a hearing on the charges, shall be preserved by the Secretary of the Board, and notice of said findings and decision served upon the officer and the Chief of Police for enforcement. If the finding or decision is that an officer is guilty of the charges and removal or discharge is ordered, such order of removal or discharge shall become effective forthwith. (See Section 9 of this Chapter VI)

**SECTION 12 - JUDICIAL REVIEW OF FINAL DECISIONS OF BOARD** The provisions of the Administrative Review Law, and all amendments and modifications thereof [735 ILCS 5/3-101 et seq.], and the rules adopted pursuant thereto, shall apply to and govern all proceedings for the judicial review of final administrative decisions of the Board. Division 2.1, Board of Fire and Police Commissioners, Removal or discharge-Investigation of charges-Retirement, 65 ILCS 5/10-2.1-17 The term administrative decision is defined as in Section 3-101 of the Code of Civil Procedure, 735 ILCS 5/3-101.

**SECTION 13 - RULES-CONFLICT** The personnel of the Glendale Heights Police

Department shall be governed by these Rules and Regulations as adopted by the Board and the Rules and Regulations of the Glendale Heights Police Department as promulgated by the Chief of Police and/or Village of Glendale Heights ordinance. In the case of conflict, these Rules and Regulations of the Board shall govern.

**SECTION 14 - VIOLATION OF RULES** All members of the Glendale Heights Police Department shall be subject to the Rules and Regulations of the Glendale Heights Police Department and these Rules and Regulations of the Board, and any violation of the rules and regulations may be cause for the filing of charges before the Board, a subsequent hearing and action by the Board on such charges, in accordance with these Rules and Regulations.

**SECTION 15 - VIOLATION OF LAW** Any violation of federal laws, state laws or municipal ordinances by any member of the Glendale Heights Police Department may be the cause for the filing of charges against said officer, except as herein otherwise provided.

## **CHAPTER VII** **GENERAL**

**SECTION 1 - POWERS AND DUTIES** The Board shall have such other powers and duties as are given it by the statutes of the State of Illinois or by the ordinances of the Village of Glendale Heights.

**SECTION 2 - AMENDMENTS** These Rules and Regulations may be amended at any meeting of the Board. All the Rules and Regulations and changes therein shall be printed immediately for distribution. Notice shall be published, in a newspaper of general circulation in the municipality, specifying where such Rules and regulations are available for inspection. The Notice shall specify the date, not less than ten (10) days subsequent to the date of publication, when the Rules and Regulations, or changes therein, shall go into effect. Division 2.1, Board of Fire and Police Commissioners, Rules - Publications, 65 ILCS 5/10-2.1-5.

**SECTION 3 - SAVINGS** Any Chapters, Sections and/or sub-sections or parts thereof of these Rules and Regulations that are found to be in conflict with Illinois or federal law as determined by a court of competent jurisdiction or with amendments thereto that may hereinafter be enacted are null and void. This does not, however, invalidate any other Chapters, Sections, Sub-sections or parts thereof of these Rules and Regulations.

**SECTION 4 - LEAVE OF ABSENCE** A Leave of Absence shall be granted by reason of military service or duty-related disability as specified in Division 2.1, Board of Fire and Police Commissioners, Disability or military leave - Grant by board, 65 ILCS 5/10-2.1-23. If a Leave of Absence is granted by the Board during a probationary period, such probationary period shall be tolled until the probationary officer returns from his or her Leave of Absence.

A person who has been on disability or military leave granted by the Board and who wishes to return to active duty in his certified position shall be credited with seniority for the period of such leave, and, if otherwise qualified, shall be reinstated to his certified position at the

rank or grade held at the start of such leave, not more than sixty (60) days after his written request for reinstatement is filed with the Board. Such request shall be filed not more than thirty (30) days after termination of the disability or military or naval service. Division 2.1, Board of Fire and Police Commissioners, Return to active duty, 65 ILCS 5/10-2.1-24.

**SECTION 5 - POLITICAL CONTRIBUTIONS** No sworn personnel in the Glendale Heights Police Department shall be under any obligation to contribute any funds or render any political service, and no such person shall be removed or otherwise prejudiced for refusing to do so.

**SECTION 6 - POLITICAL ACTIVITY AND PARTICIPATION** No employee will be inhibited or prohibited from exercising his full political rights to engage in political activities, including the right to petition, make speeches, campaign door-to-door and run for political office, so long as the employee does not use his official capacity and/or position to influence others and does not engage in these activities while he is at work on duty. Division 2.1, Board of Fire and Police Commissioners, [Enforcement of rule or ordinance], 65 ILCS 5/10-2.1-5.1.

**These Rules and Regulations** are hereby Adopted, proper Notice having been made, on motion, by the BOARD OF POLICE COMMISSIONERS OF THE VILLAGE OF

GLENDALE HEIGHTS, ILLINOIS on this 12th day of April, 2023 at the


Village of Glendale Heights, County of DuPage, State of Illinois.

By:   
Kevin Tierney, Chair  
BOARD OF POLICE COMMISSIONERS OF THE  
VILLAGE OF GLENDALE HEIGHTS, ILLINOIS

**Attest:**

By:   
Ester Wilk, Secretary  
BOARD OF POLICE COMMISSIONERS OF THE

VILLAGE OF GLENDALE HEIGHTS, ILLINOIS

By: 

Vic Macias, Commissioner

BOARD OF POLICE COMMISSIONERS OF THE  
VILLAGE OF GLENDALE HEIGHTS, ILLINOIS