

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

CHAPTER I - ADMINISTRATION ..... 3

CHAPTER II - APPLICATIONS..... 7

CHAPTER III - ORIGINAL APPOINTMENTS ..... 10

CHAPTER IV - PROMOTIONAL EXAMINATIONS..... 16

CHAPTER V - ORDER OR RANK, CLASSIFICATION AND OATH OF OFFICE ..... 18

CHAPTER VI - HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES ..... 19

CHAPTER VII - GENERAL..... 25



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

***VILLAGE OF LISLE***

***STATE OF ILLINOIS***

Revised edition of the August 15, 1965 Rules and Regulations as adopted by the Board of Fire and Police Commissioners of the Village of Lisle, Illinois, amended August 8, 2023.

**CHAPTER I**

***ADMINISTRATION***

**Section 1. SOURCE OF AUTHORITY**

The Board of Fire and Police Commissioners of the Village of Lisle derives its power and authority from an Act of the General Assembly entitled, "Division 2.1 Board of Fire and Police Commissioners", of 65 ILCS 5/10-2.1-1 et sequitur. Additionally, the authority of the Board to review and render discipline shall be determined in conjunction with any collective bargaining agreement in effect from time to time between the Village of Lisle and any union represented group of sworn employees.

**Section 2. DEFINITIONS**

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the Village of Lisle. The word "Officer" shall mean any person holding a full time position as a sworn officer in the Police Department of the Village of Lisle. The word "certified" shall mean successful completion of the Minimum Standards Basic Law Enforcement Training Course as provided in the Illinois Police Training Act. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural includes the singular.

**Section 3. OFFICERS OF BOARD AND THEIR DUTIES**

The Board shall annually, on the first meeting in May, elect a Chairman and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until their successors are duly elected and qualified. The Chairman shall be the presiding officer at all meetings. The Secretary

shall keep the Minutes of all meetings of the Board in a permanent record book and shall be the custodian of all the forms, papers, books, records and completed examinations of the Board.

#### **Section 4. MEETINGS**

- a) Regular meetings shall be held bi-monthly. Notice shall be posted and meetings shall be open to the public.
- b) Special meetings shall be open, notice thereof to be posted forty-eight (48) hours prior to convening, called by the filing of a notice in writing with the Secretary of the Board and signed either by the Chairman of the Board or any two members thereof. This notice shall contain a brief statement of the business to be submitted for the consideration of the Board at such special meetings, and shall set forth the time and place of such special meeting, and no other business shall be considered at such special meeting unless by unanimous consent of the Board.
- c) During any regular or special meeting a closed session may be held upon a proper motion made by any single member of the Board for the purpose of discussing personnel. Closed sessions may be limited to Board members and such invited persons as the Board may deem necessary. The secretary will record the motion to close the meeting, record the roll call vote of the members on said motion and keep minutes of the closed session. An audio or video record of each closed session will be maintained by the Secretary of the Board and, after a minimum of 18 months, shall be disposed of in accordance with the provisions of the Open Meetings Act.
- d) Public notice of any regularly scheduled or special meeting shall be held in accordance with the Open Meetings Act, Illinois Compiled Statutes, Chapter 5, "120/1-120/5.
- e) If a member is unable to be physically present at a meeting of the Board, whether it be for health related reasons, the need to conduct personal business or the business of the Board, or due to a personal or family emergency, that member may attend and participate at a Board meeting by telephonic or other electronic means provided that a quorum of the Board's members are physically present at the meeting and vote to approve the attendance of the missing member(s) by way of telephonic or other electronic means. The minutes of the meeting shall reflect, by name, those members of the Board who are physically present as

well as those attending by telephonic or other electronic means. Notice that a board member will be in attendance and participating at a Board meeting, not in person but electronically, shall be provided to the Board's recording secretary or the municipal clerk at least 48 hours prior to the scheduled meeting.

- f) The agenda for a "Regular Meeting" shall allow for an "Open Forum" to permit individuals to appear before and address their concerns to the members of the Commission. The commission may limit those individuals appearing during the open forum to a presentation not to exceed three (3) minutes and may require an individual to be seated if the individual addresses those present in a disrespectful or discourteous manner or the subject matter being presented is not relevant to the duties and responsibilities of the Fire and Police Commission.

**Section 5. QUORUM**

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

**Section 6. ORDER OF BUSINESS**

The order of business at any meeting shall be

- 1) Call to Order/Roll Call
- 2) Public Comment
- 3) Approval of Minutes
- 4) Regular Agenda
- 5) Executive Session
- 6) Reconvene Open Session
- 7) Other Business
- 8) Adjournment

**Section 7. PROCEDURE**

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

**Section 8. AMENDMENTS**

Amendments to the Rules of the Board may be made at any meeting of the Board. All amendments shall forthwith be printed for distribution and notice shall be given of the place or places where said rules may be

obtained. Such notice shall be published in a newspaper of general circulation in the Village of Lisle. The notice shall specify the date, not less than ten days subsequent to the date of such publication, when rules shall go into effect.

**Section 9. ANNUAL REPORT AND BUDGET REQUEST**

The Board shall submit an Annual Report of its activities as required by 65 ILCS 5/10-2.1-19 and a Budget Request for the ensuing year, as required by local ordinance and Section 10-2.1-19 of the Act.

## **CHAPTER II**

### ***APPLICATIONS***

#### **Section 1. CITIZENSHIP**

Applicants for examination must be citizens of the United States.

#### **Section 2. APPLICATION FORMS**

- a. Applications shall be filed upon forms furnished by the Board. Applicants must comply with the requirements of said form in every respect and must be filed with the Board prior to commencing examination.
- b. Applicants with military experience shall furnish with their application, a copy of their Military Form DD-214.
- c. Applicants must furnish a High School Diploma or G.E.D. Certificate.
- d. A false statement knowingly made by a person in an application for examination, connivance in any false statement made in any certificate which may accompany such application or complicity in any fraud touching the same, shall be regarded as good cause for exclusion from the examination.
- e. Applicants must be of good moral character, sound health and must be physically able to perform the duties of the position applied for. The burden of establishing these facts rests with the applicant.

#### **Section 3. DISQUALIFICATION**

The Board may refuse to allow an applicant to participate in the examination process, or after examination, to certify an applicant as eligible for employment:

- 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 adequately perform some or all of the duties of the position to which he or she seeks appointment.
- c. Who is addicted to the use of intoxicating beverages or drugs.

- d. Who has been convicted of a felony or any misdemeanor involving moral turpitude, as defined in 65 ILCS 5/10-2.1-6.
- e. Who has been dismissed for good cause from any public service.
- f. Who has attempted or engaged in any fraud or made any false statements as set forth in Section 2 above.
- g. Who is disqualified for failure to meet minimum health or other physical requirements applicable to all applicants.
- h. Whose personal or employment references demonstrate that the applicant does not possess the attributes necessary for a position of public service.
- i. Who does not possess a High School Diploma or G.E.D Certification.
- j. Who is or has been classified by his Local Selective Service Draft Board as a conscientious objector.
- k. Who tests positive for the existence of THC, cocaine and related drugs, and other illegal, nonprescription narcotics and drugs, based after a two-stage test of urine for drug metabolites under a sound drug testing procedure.
- l. For any other lawful reason, including any other reason set forth in 65 ILCS 5/10-2.1-6.
- m. Any applicant deemed disqualified hereunder, shall be notified by the Board in writing.

**Section 4. INCOMPLETE APPLICATIONS**

Defective or incomplete applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought and that the corrected or completed application is resubmitted prior to the expiration of the original application period.

**Section 5. AGE REQUIREMENTS**

All applicants shall be at least 21 years of age at the time of application and shall be under 35 years of age as of the posting of the initial eligibility list to be eligible for initial appointment, except as otherwise provided in 65

ILCS5/10-2.1-6.

**Section 6. NOTICE OF ACCEPTANCE**

The Secretary or his designee will notify all applicants whose applications have been accepted by the Board to be present for orientation and subsequent examinations. Each such person will be required to present an executed Physician's Certificate that the individual can safely perform the "Physical Agility Test" established by the Board.

**Section 7. RELEASE OF LIABILITY**

All applicants shall execute and deliver to the Board a release of all liability as the result of taking a "Physical Agility Test" in favor of the Village of Lisle, Board of Fire and Police Commissioners and all other parties involved in administering the test on a form prescribed by the Board.

## CHAPTER III

### ORIGINAL APPOINTMENTS

#### Section 1. NOTICE OF EXAMINATIONS

Examinations shall be held on the dates fixed by the Board and advertised in newspapers in accordance with 65 ILCS 5/10-2.1-13. 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 hold examinations to establish an eligibility list for initial appointments to positions subject to its jurisdiction as may be necessary and as permitted by 65 ILCS 5/10-2.1-1 et sequitur. A call for such examination shall be entered in the Minutes of the Board and shall include a statement of:

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

#### Section 3. TYPE OF EXAMINATIONS

The subject matter for physical agility, written, and oral examinations shall be such as will fairly test the applicant in subjects relevant to the duties of the position to which the applicant seeks appointment. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

#### Section 4. EXAMINATION PROCEDURES

Examinations will be generally held in the following sequence. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation. All grades are based on a maximum weighted grade of 100%.

<b>Examinations</b>	<b>Minimum Passing Grade</b>
Orientation	Attendance Mandatory
Physical Agility Test	Pass or Fail
Written Examination	*
Oral Interview	*

Conditional Offer of Employment

Background Investigation	Pass or Fail
Polygraph Evaluation	Pass or Fail
Psychological Evaluation	Pass or Fail
Medical Examination	Pass or Fail

\* 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.

The Board will combine the scores for the written test and oral test, weighted 65% for the written component and 35% for the oral component. The applicant must have obtained a minimum passing grade on both tests.

**Note:** To any person who is entitled to military, educational or law enforcement preference points under Illinois law whose name appears on the initial register of eligibles, the Board shall add five (5) points (Sections 65 ILCS 5/10-2.1-8 and 65 ILCS 5/10-2.1-9), upon written request of applicant if qualified under law. Such preference points shall not be cumulative.

- a. **Original Appointment - Physical Agility Test**  
All applicants shall be required to submit to a physical agility test. Police candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.
- b. **Original Appointment – Orientation**  
It will be a requirement that all applicants attend an original appointment orientation. Applicants who do not attend shall be disqualified.
- c. **Original Appointment - Written Examinations**
  1. **Written Examination**

The Board will utilize a written examination which fairly measures various skills necessary to assimilate training and to perform work related to the position. Police candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration.

**2. Finality**

All examination papers shall be and become the property of the Board and the grading thereof by the Board and/or its designees shall be final and conclusive and not subject to review by any other board, tribunal or court of any kind or description. Except pursuant to judicial or administrative process, applicants shall not be entitled to receive copies of examination papers or grades.

**d. Original Appointments-Oral Interview**

**1. Eligibility**

Only those applicants who have passed the written examination will be permitted to participate in the Oral interview.

**2. Attendance of Board Members**

The majority of Commissioners shall participate in the Oral interview. The Board, at its discretion, may choose to use a testing vendor to conduct oral interviews.

**3. Subject of Oral Interview**

Questions may be asked of the applicant that will enable the Commissioners to fairly evaluate the applicant's fitness for the position and his skills and abilities relevant to the successful performance of duties in the position.

**4. Grading of Oral Interview**

On completion of each applicant's oral interview, the Commissioners may discuss and will grade such oral interview. The Commissioners will equally weigh their individual scores to produce a final raw score. Applicants failing to secure a passing grade are automatically eliminated from further consideration.

**Section 5. INITIAL ELIGIBILITY REGISTER**

- a) The Commissioners will prepare an "Initial Eligibility Register" of the

Candidates successfully completing the orientation, physical ability test (if any) and written test. Candidates shall be placed on the eligibility list in order of their relative excellence as determined by their test scores. The Candidates will be listed in order of excellence based on their final score.

- b) This register is subject to change with the addition of any claimed preference points as prescribed in 5/10-2.1-8 and 5/10-2.1-9 (a) of the Act. Preference points will not be added to any candidate's score if that candidate failed to obtain a minimum passing score. Candidates who are eligible for any preference points, shall make a claim in writing with proof thereof within ten (10) days after the date of the first posting of the initial eligibility list or such claim shall be deemed waived.
- c) A dated copy of the Initial Eligibility Register, duly adjusted with preference points awarded, shall be sent to each person appearing thereon.
- d) A candidate's name shall be stricken from an initial eligibility register or a subsequent Final Eligibility List after the name has been on the initial eligibility register for a period exceeding two (2) years.

## **Section 6. FINAL ELIGIBILITY REGISTER**

- a) Final appointment for the Police Department shall be from the names appearing on the "Final Eligibility Register."
- b) The Board shall select a number of candidates (the number to be determined at the discretion of the Board and announced at orientation) from the top of the Initial Eligibility List, as adjusted for preference points, who shall be required to submit to an oral interview to be conducted by the Board and, if successful, whose names will be included on the "Final Eligibility Register."
- c) The names of the applicants shall be placed upon the "Final Eligibility Register" in rank order, highest first. Rank order shall be based upon the applicant's total cumulative score which shall be calculated as follows:
  - 1) Original written test score multiplied by 65%; and,
  - 2) Oral interview score multiplied by 35%.

- d) In the event a “Final Eligibility Register” is exhausted prior to the expiration of the “Initial Eligibility Register,” the Board may establish another “Final Eligibility Register” in accordance with subsections a) through c) above.
- e) Applicants shall be appointed from the Final Eligibility Register in descending order. Notwithstanding anything to 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/her successful completion of the Minimum Standards Basic Law Enforcement Training Course, as provided in the Illinois Police Training Act, ahead of non-certified applicants.
- f) Appointment from the Final Eligibility Register is subject to satisfactorily passing or completing an in-depth psychological examination, a polygraph test, background investigation, and a thorough medical examination (which may include a test of the applicant’s vision and hearing, a test for the presence of communicable diseases as well as a test to screen for the use of drugs and/or narcotics).

**Section 7. PROFESSIONAL EVALUATION AND EXAMINATIONS**

The Board of Fire and Police Commissioners shall appoint the professional services practitioners that will be doing the evaluations.

- a. Polygraph Evaluations shall be administered by a licensed operator approved by the BOFPC.
- b. Psychological Evaluation will be administered by a psychologist or psychiatrist licensed by the State of Illinois and approved by the BOFPC.
- c. Medical examinations including a drug screen as prescribed by the Board of Fire and Police Commissioners shall be performed by a licensed physician.
- d. An applicant who is not physically fit will be disqualified from further consideration. An applicant who does not receive a passing grade or an affirmative recommendation from either the polygraph evaluation or psychological evaluation will be disqualified from further consideration. Except pursuant to judicial or administrative process, applicants shall not be entitled to receive copies of the

grading, final grades or recommendations from these evaluations.

## **Section 8. PROBATIONARY APPOINTMENT**

- a. All original appointments to positions within the jurisdiction of the Board shall be filled by applicants from the Final Eligibility Register in the order in which their names appear on the register, except that the Board, in its discretion may appoint a certified candidate over a non-certified candidate, and provided that the appointed applicants also have satisfied all requirements established by the Board, All original appointments shall be for a probationary period of not less than eighteen (18) months from original date of appointments, as may be determined by the Village of Lisle.
- b. Discharge. During the probationary period, a probationary police officer may be dismissed by the Board of Fire and Police Commissioners with or without cause.
- c. Any person whose name appears on the Final Eligibility Register may decline appointment. It shall be the option of the Board to strike from or maintain upon the register the name of such candidate without otherwise altering the applicant's original position on the Eligibility Register.
- d. Any person may be removed from the Final Eligibility List regardless of the length of time the name of an applicant has remained on the Final Eligibility List. A person may be removed in the event he or she no longer satisfies one or more of the requirements set forth in these Rules as established by the Board.

## **Section 9. CERTIFICATION**

Final certification of probationary Police Officers shall be made by the Board based upon the determination of the Village of Lisle in its discretion subject to successful completion of the Basic Training Course as provided by the Illinois Governmental Law Enforcement Officers Training Board within the prescribed probationary period and any other requirements established by the Village of Lisle or the Board in their discretion. Inability to successfully complete this course shall be grounds for dismissals.

## CHAPTER IV

### PROMOTIONAL EXAMINATIONS

#### Section 1. GENERAL

The Board shall provide a roster of eligible candidates for promotion in the Police Department on the basis of ascertained merit and seniority in service and examination. An eligible candidate for promotion is an officer who has successfully completed their probationary period. The Board's authority to establish promotion eligibility rosters shall apply to all ranks above the rank of Patrolman, excepting Chief, who shall be appointed in the manner prescribed by Village Ordinance. All examinations for promotion that may be conducted shall be competitive among such eligible members of the next lower rank as desire to submit themselves to examination. All promotions shall be made by the Board after due consultation with the Village from the three (3) having the highest rating, or in the case where there are less than three (3) names on the promotional eligibility register, as originally posted, or remaining thereon after appointments have been made therefrom, appointments shall be made from those names or name remaining on the promotional register. The method of examination and the rules governing examinations for promotion shall be as determined by the Board consistent with these Rules. The Board shall strike off the names of candidates for promotional appointment after they have remained thereon for more than three (3) years, as provided by statute.

#### Section 2. EXAMINATION PROCESS

- a. The promotional examination process shall include the following elements:
  1. Department merit and efficiency rating by Chief, which shall be submitted to the Human Resources Department prior to administration of the assessment center.
  2. Assessment center; and
  3. Personal Interview.
  
- b. Final promotional examination scores will be determined, as follows:
  1. Department Merit & Efficiency Rating by Chief (multiplied by) 15%

2.	Assessment Process score (multiplied by)	60%
3.	Personal Interview with BOFPC score (multiplied by)	20%
4.	Seniority - for all persons in present rank for 3 or more years	5%
	Maximum Score	<u>100%</u>

- c. Promotional Preferences. Veteran's points shall be given to persons taking the promotional examination in accordance with the provisions of 65 ILCS 5/10-2.1-10 and 5/10-2.1-11. No such points shall be applied until the applicant provides written proof to the Board establishing entitlement to such points.
- d. Education Requirement. Candidates for promotion shall possess an associate's degree, or shall have successfully received credit for a minimum of 60 credit hours toward a Bachelor's degree from an accredited college or university, prior to the date of the announced examination in order to be eligible for promotion consideration.

**CHAPTER V**

**ORDER OR RANK, CLASSIFICATION AND OATH OF OFFICE**

**Section 1. RANK**

The order of rank in the Police Department shall be as provided by ordinance.

**Section 2. CLASSIFICATION**

The Board shall confer with appropriate Village officials and other persons for the purpose of establishing and maintaining standards of examinations and promotions based upon such information as job descriptions and departmental regulations.

**Section 3. OATH OF OFFICE**

Before entering 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 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 \_\_\_\_\_ A.D., 20\_\_.

NOTARY PUBLIC

## 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 "Code of Civil Procedure" do not apply to hearings before the Board.
- b. "Counsel" as used herein means: One who has been admitted to the Bar as an attorney-at-law in this State.
- c. No rehearing, reconsideration, modification, vacation or alteration of a decision of the Board shall be allowed.
- d. "Cause" is some substantial shortcoming which renders continuance in employment in some way detrimental to the discipline and efficiency of the public service and something which the law and sound public opinion recognize as cause for the officer no longer occupying his position. The right to determine what constitutes cause is in the sole discretion of the Board.
- e. The complainant initiating any proceedings which call for a hearing before the Board shall have the burden of proof to establish that cause for discipline does exist by a "preponderance of evidence". If the proceedings are not initiated by a representative of the Village of Lisle but rather are initiated upon the appeal of an employee from a suspension or other discipline, the appellant shall show by a "preponderance of evidence" that the discipline imposed by the Chief or his designee is unwarranted. Should the question of a crime be involved, the rule of "reasonable doubt" shall not control.
- f. The phrase "preponderance of evidence" is defined as the greater weight of evidence, that is to say, it rests with that evidence which, when fairly considered produces the stronger impression, and has a greater weight, and is more convincing as to its truth when weighed against the evidence in opposition thereto.
- g. All hearings shall be held in accordance with the provisions of the Open Meetings Act.
- h. At the time and place of hearing, all parties may be represented by Counsel, if they so desire.

- i. All proceedings before the Board during the conduct of the hearing shall be recorded by a court reporter engaged by the Board.
- j. 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 at their own expense.
- k. All witnesses shall be sworn prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.
- l. The Board will first hear the witnesses either substantiating the charges which have been made against the respondent or in support of an appeal brought by a suspended or disciplined Officer. Thereafter, the other party may present and examine those witnesses whom he desires the Board to hear. All parties shall have the right to cross-examine witnesses presented by the opposite party.
- m. The Board shall conduct a fair and impartial hearing of the charges.

**Section 2. HEARING PROCEDURE**

- a. Complaints and Appeals: In all cases the written complaint or appeal shall be filed in quintuplicate, setting forth a plain and concise statement of the facts upon which the complaint or appeal is based.
- b. Notification of Hearing: Upon the filing of a complaint or appeal, in quintuplicate, with the Secretary of the Board, the Secretary of the Board shall notify or cause to be notified both the complainant (or appellant) and respondent, either by registered or certified mail, return receipt requested, or personally with appropriate acknowledgement, of the time and place of the hearing of the charges contained in the complaint or appeal. The respondent shall also be served with a copy of the complaint or appeal, and if an Order of Suspension Pending Hearing is entered by the Board, the respondent, the complainant, the Chief of the Department and Manager of the municipality shall be notified of the entry of such Order of Suspension Pending Hearing, and be served either personally, with proof of service, or by registered or certified mail, return receipt requested, with a copy of such Order.
- c. Continuances: The matter of granting or refusing to grant a

continuance of a hearing is within the discretion of the Board.

- d. Stipulations: Parties may, on their own behalf, or by Counsel, stipulate and agree in writing, or on the record, to any matter. The facts so stipulated shall be considered as evidence in the proceeding.

In the event an officer who has been suspended pending hearing desires a continuance, it shall also be stipulated and agreed that in the event said officer is to be retained in his position as the result of a decision of the Board following a hearing of the cause, then no compensation shall be paid to said officer during the period of said continuance.

- 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 hearing before the Board.

### **Section 3. SUBPOENAS**

- a. Any party may, at any time before the hearing, make application to the Board by filing with it a written request for subpoenas for any individual to appear for hearing or have them produce books, papers, records, accounts and other documents as may be deemed by the Board to be relevant to the hearing. On the filing of such application, subpoenas will be issued for the named persons. Subpoenas may be served by any person 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. Subpoenas will not be issued for anyone residing outside of the State of Illinois.

- b. Any request for continuance by reason of inability to serve subpoenas shall be filed in the office of the Board at least three (3) days before the date set for such hearing, provided, however, that the Board in its discretion may waive this rule.

### **Section 4. SERVICE**

All papers required by these Rules and Regulations to be served shall be delivered personally to the party designated or mailed by United States

mail in an envelope properly addressed with postage prepaid, to the designated party at his last known residence as reflected by the complaint or appeal filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, return receipt requested, to a party's address where it was received by a named party.

#### **Section 5. FILING**

All papers under this section may be filed with the Board by mailing them or delivering them personally to the Human Resources Department at Lisle Village Hall, Lisle, Illinois. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's Office (Human Resources Department), in the event the paper is delivered personally or by messenger during normal business hours. 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. A postage meter stamp shall not suffice as a proof of filing date.

#### **Section 6. FORMS OF PAPER**

- a. All papers 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.
- c. All papers shall be not larger than 8 and ½ inches wide by 11 inches long and shall have inside margins of not less than one inch.
- d. 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.
- e. If papers are filed by an attorney, his name and address shall appear thereon.

#### **Section 7. COMPUTATION OF TIME**

The time within which any act under these Rules is to be done shall be computed by excluding the first day and including the last, unless the last day is Sunday or is a holiday as defined or fixed in any statute now or

hereafter in force in the State, and then it shall also be excluded. If the day succeeding such Sunday or holiday is also a holiday or a Sunday then such succeeding day shall also be excluded.

**Section 8. SUSPENSION**

- a. The Board may suspend any member of the Police Department 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 on any individual charge.
- b. The Chief of Police Department shall have the right to suspend any officer under his command for a period not to exceed five (5) days, providing no charges on the same offense have been filed and are pending before the Board, and he shall notify the Board in writing within twenty-four (24) hours of the time of such suspension. Any so suspended officer may appeal to the Board for a review of the suspension within five (5) calendar days after such suspension by filing notice of such appeal in writing with the Secretary of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department and to the officer so suspended. The burden of establishing that a suspension is unwarranted shall be upon the Officer.
- c. Upon such appeal by the officer, the Board may sustain the action of the Department, may reverse it with instructions that the Officer so suspended receive his pay for the period involved, may suspend the Officer for a period of not more than thirty (30) days, or discharge him, based on the evidence presented.

**Section 9. DISCHARGE OR SUSPENSION AFTER HEARING**

Discharge from office or suspension from service in the Police Department shall be in accordance with 65 ILCS 5/10-2.1-1 **et sequitur**.

**Section 10. DATE OF HEARING**

The time for the hearing of charge shall be set by the Board, within thirty (30) days of the time of the filing of such charges. Continuances may be granted from time to time upon motion of any party to the proceeding by order of the Board.

### **Section 11. FINDING AND ORDER**

In case any member of the Police Department shall be found guilty of the charges preferred against him after a hearing by the Board, he may be removed, discharged or suspended for a period not exceeding thirty (30) days, without pay. In the case of an appeal by an officer as set forth in these Rules, the Board may take the action set forth in Section 8 c above.

### **Section 12. VIOLATION OF RULES**

All members of the Police Department shall be subject to the Rules and Regulations of this Board and of the Department, and any federal, state, local and/or rules and regulations. A violation of such Rules and Regulations shall be cause for the filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

### **Section 13. FINDING AND DECISION**

The finding and decision of the Board, following a hearing of charges and/or appeals, shall be preserved by the Secretary, and 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 is guilty of charges and removal and discharge is ordered, such order of removal or discharge shall become effective forthwith. The finding upon an appeal shall also be effective forthwith unless otherwise directed.

## CHAPTER VII

### GENERAL

- Section 1.** All officers and members of the Police Department shall observe and obey all rules and orders of the Board which are in force or which may be adopted hereafter as well as all Regulations for the operation of a Police Department as adopted by the Department and/or the Village and in force or which may be adopted hereafter.
- Section 2.** The Board shall have such other powers and duties as are given it by the Statutes of the State of Illinois or by ordinance.
- Section 3.** Any Chapters, Sections and/or Subsections of the foregoing Rules for the operation of the Board that are in conflict with the State Statutes or with any amendments thereto that may hereafter be enacted are null and void. This, however, does not invalidate any other Chapters, Sections and/or Subsections of said Rules.
- Section 4.** Every applicant, eligible candidate, member or officer shall register his address with the Board and shall thereafter likewise register any change of address or change of name. Notices of any nature issued by the Board shall be deemed served if mailed to the person at the last registered address of such person. Failure to respond to notice so mailed by the Board within a period of ten (10) days shall authorize the Board in its discretion to remove the name of such person from the list of eligible candidates or from the list of applicants.
- Section 5.** No person in the Police Department shall be under any obligation to contribute any funds or render any political service, and no person shall do so or be removed or otherwise prejudiced for doing so. No person in the Police Department shall discharge, or promote or demote, or in any manner change the official rank or compensation of any person in such service, or promise or threaten to do so, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any manner, directly or indirectly, use his official authority to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.