

RULES AND REGULATIONS
OF THE
BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE
CITY OF SOUTH BELOIT
STATE OF ILLINOIS

As adopted by the Board of Fire and Police Commissioners of the City of South Beloit, Illinois, initially effective August 1, 2013.

CHAPTER I – ADMINISTRATION

SECTION 1 - SOURCE OF AUTHORITY.

The Board of Fire and Police Commissioners of the City of South Beloit, Illinois derives its power and authority from an Act of the General Assembly entitled "Division 2.1 Board of Fire and Police Commissioners," of Chapter 65 of the Illinois Compiled Statutes (the "Act").

SECTION 2 - DEFINITIONS.

The word "Commission" and/or "Board" wherever used shall mean the Board of Fire and Police Commissioners of the City of South Beloit, Illinois. The word "officer" shall mean any person holding a permanent office in the Police or Fire Department of the City of South Beloit, Illinois. The masculine noun or pronoun includes the feminine. The singular includes the plural, and the plural the singular.

SECTION 3 - OFFICERS OF BOARD AND THEIR DUTIES.

The Board shall annually, on the first meeting in July elect a Chairman and a Secretary. They shall hold office until the end of the fiscal year of the municipality and until 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.

1. Regular meetings shall be held as scheduled by the Board, and notice shall be posted and meetings shall be held pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.
2. 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/to 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 meetings, and no other business shall be considered at such special meeting unless by unanimous consent of the Board.
3. 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 or other matters in accordance with the Illinois Open Meetings Act. 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.

4. Public notice of any regularly scheduled or special meeting shall be held pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

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 any meeting shall be:

1. Call to Order.
2. Roll Call.
3. Approval of Agenda.
4. Public Comment.
5. Correspondence.
6. Old Business.
7. New Business.
8. Adjournment.

SECTION 7 - PROCEDURE.

The parliamentary procedure prescribed in the most recent edition of 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 City. The notice shall specify the date, not less than 10 days subsequent to the date of such publication, when the rules shall go into effect.

SECTION 9 - ANNUAL REPORT OF BUDGET REQUEST.

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

CHAPTER II – APPLICATIONS

SECTION 1 - RESIDENCE.

Applicants for examination must be citizens of the United States or be otherwise authorized to work in the United States. Residence requirements shall be as prescribed by ordinance.

SECTION 2 - APPLICATION FORMS.

Applications for positions shall be filed upon blank forms, paper or electronic, furnished by the Commission, and applicants must comply with the requirements of said form in every respect. The application must be filed with the Commission prior to taking an examination.

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.

The applicant shall furnish with his application a copy of his military service record, discharge papers, birth certificate, high school diploma or G.E.D. certificate, and/or college degree.

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

SECTION 3 - DISQUALIFICATION.

The Commission may refuse to examine an applicant, or after examination, to certify him or her as eligible:

1. Who is found lacking in any of the established preliminary requirements for the service for which or he or she applies.
2. Who is physically unable to perform the duties of the position to which he or she seeks appointment.
3. Who is engaged in the use, possession, or transfer of illegal drugs or the abuse of legal drugs.
4. Who has been convicted of a felony or any misdemeanor involving moral turpitude, as specified in Sec. 10-2.1-6 or Sec. 10-2.1-6.3(i) of the Board of Fire and Police Commissioners Act.
5. Who has been dismissed from any public service for good cause.
6. Who has attempted to practice any deception or fraud in his or her application.
7. Who may be found disqualified in personal qualifications or health.
8. Whose character and employment references are unsatisfactory.
9. Who does not possess a high school education as evidenced by a high school diploma or GED certificate deemed sufficient by the Board.
10. Who does not possess a valid driver's license.

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

SECTION 4 - DEFECTIVE APPLICATIONS.

Defective applications shall be returned to the applicant for correction, provided the applicant is not otherwise disqualified for the position sought.

SECTION 5 - PHYSICAL, MEDICAL AND PSYCHOLOGICAL EXAMINATION.

Applicants for original appointment to the police and fire departments may be subject to a physical aptitude test, a thorough medical examination by a licensed medical doctor or doctor of osteopathy approved by the Board, a comprehensive psychological examination by a licensed psychologist or psychiatrist approved by the Board, and a polygraph test administered by a licensed polygraph examiner approved by the Board. All applicants shall execute and deliver to the Board a release of liability in connection with such testing as prescribed by the Board.

SECTION 6 - AGE REQUIREMENTS.

All applicants for a position in either the fire or police department shall be at least 20 years of age and under 35 years of age on the final date for submission of applications to the Board. A 20 year old applicant must be 21 years of age as of his or her date of hire or he or she shall be deemed ineligible for hire.

The foregoing age limitation does not apply to any applicant for original appointment to the police department (i) who was previously employed as a policeman in a regularly constituted police department of any municipality, regardless of whether the municipality is located in Illinois or in another state, (ii) who has served as an auxiliary police officer under Section 3.1-30-20 of the Illinois Municipal Code for at least 5 years and is under 40 years of age, (iii) who has served as a deputy under Section 3-6008 of the Illinois Counties Code and otherwise meets necessary training requirements, or (v) who has served as a sworn officer as a member of the Illinois Department of State Police. In addition, a veteran applying for original appointment to the police department shall be allowed to exceed the maximum age provision of this Section by the number of years served on active military duty, but by no more than 10 years of active military duty.

The foregoing age limitation does not apply to any applicant for original appointment to the fire department (i) who was previously employed as a full-time firefighter in a regularly constituted fire department of any municipality or fire protection district located in Illinois, (ii) who was previously employed as a full-time firefighter in a fire protection district whose obligations were assumed by a municipality under Section 21 of the Illinois Fire Protection District Act, or (iii) who was previously employed as a full-time firefighter in a municipality whose obligations were taken over by a fire protection district, or (iv) who has served a municipality as a regularly enrolled volunteer, paid-on-call, or part-time firefighter for the 5 years immediately preceding the time that the municipality begins to use full-time firefighters to provide all or part of its fire protection service.

SECTION 7 - OTHER REQUIREMENTS.

All applicants for a position with the fire or police departments may be required to possess a current CPAT (Candidate Physical Ability Test) certificate or POWER (Police Officer Wellness Evaluation Report) certificate, obtained within one year prior to their date of appointment and issued by a qualified testing facility selected by the Board. Applicants may also be required to pay an application fee in accordance with Illinois law. When required, application fees are

nonrefundable and due upon submission of the application or by the close of the application period. Applicants may request that the Commission waive an application fee in instances of extreme hardship. The Commission shall consider any requests for a waiver of an application fee in a timely manner and on a case-by-case basis.

CHAPTER III – EXAMINATIONS AND ORIGINAL APPOINTMENTS POLICE DEPARTMENT

SECTION 1 - NOTICE OF EXAMINATIONS.

Examinations shall be held on the dates fixed by the Commission and advertised in a local paper and other media deemed appropriate in accordance with the statutes of the State of Illinois. Notice shall be published at least thirty (30) days prior to testing. Examinations may be postponed, however, by order of the Commission, which order shall state the reason for such postponement and shall designate a new date for 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 Commission shall call examinations to fill vacancies in the class of service in which vacancies are liable to occur. A call for such examination shall be entered in the Minutes of the Commission and shall include a statement of:

1. The time and place where such examination will be held.
2. Applications will be received for at least a two-week period, which shall terminate three days before the examination.
3. The position to be filled from the resulting eligibility list.

SECTION 3 - TYPE OF EXAMINATIONS.

Qualified applicants must attend the orientation program sponsored by the Board. In addition, applicants will be required to participate in a physical aptitude test, written and oral examinations as determined by the Board and as more particularly set forth below. No examination shall contain questions regarding applicant's political or religious opinions or affiliations.

SECTION 4 - EXAMINATIONS - MINIMUM GRADE.

The following examinations may be conducted by the Board. The sequence of testing may vary at the discretion of the Board. Failure to achieve the minimum passing grade in any examination disqualifies the applicant from any further participation.

Examination	% of Total Grade	Minimum Passing
Orientation	--	Attendance Mandatory
Written Test*	50%	70%
Physical Aptitude Test (POWER)	--	Pass or Fail
Oral Test*	50%	70%

*If the written exam requirement is waived pursuant to Section 5 below, the oral exam shall constitute 100% of the applicant's total grade.

Following an applicant receiving a conditional offer of employment, the Board may administer the following examinations:

Examination	% of Total Grade	Minimum Passing
Background Investigation	--	Pass or Fail
Polygraph Test	--	Pass or Fail
Psychological Examination	--	Pass or Fail
Medical Examination	--	Pass or Fail

Note: To any person who is entitled to educational, pre-certification, military or any other preference points as authorized by statute, whose name appears on the register of eligibles, the Board shall add five (5) points (5/10-2.1-9) upon request of applicant.

SECTION 5 - ORIGINAL APPOINTMENT - WRITTEN EXAMINATION.

Information as to the type of written examination employed by the Board will be provided as part of the orientation program. All examination papers shall be and remain the property of the Board and the grading thereof by the Board shall be final and conclusive and not subject to review by any other board or tribunal of any kind or description. Candidates who fail to achieve a passing grade will be notified and eliminated from all further consideration. The foregoing notwithstanding, any applicant who for three (3) consecutive years or more (a) has served as a police officer in a regularly constituted police department of any Illinois municipality, or (b) has served as a deputy under Section 3-6008 of the Counties Code, or (c) has served as a sworn officer as a member of the Illinois Department of State Police, shall not be required to take the written exam required by this section, provided that the applicant authorizes the Board's review of the applicant's personnel file(s) and executes any and all documents necessary to facilitate such review.

SECTION 6 - ORIGINAL APPOINTMENT - PHYSICAL APTITUDE TEST.

All applicants to the police department may be required to submit themselves to the physical aptitude test prescribed by the Board. Only candidates who have passed the "Physical Aptitude Test" will be permitted to participate in further examinations. A POWER Test pass certificate may be required to fulfill the physical aptitude test requirement.

SECTION 7 - ORIGINAL APPOINTMENT - ORAL EXAMINATION.

All Commissioners shall participate in the oral examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the oral examination.

Questions shall be asked of the candidate that will enable the Commissioners to properly evaluate and grade the candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. Upon completion of each oral examination the Commissioners will discuss the candidate's abilities using the traits listed above. Each Commissioner will then grade the candidate. The candidate's final grade will be the average of the three (or two) Commissioners' grades. Candidates who fail to achieve a passing grade (70%), are automatically eliminated from all further consideration.

SECTION 8 - INITIAL ELIGIBILITY REGISTER.

1. The Board shall prepare an "Initial Eligibility Register" of the applicants successfully completing the orientation, written test, oral examination and physical aptitude test. Applicants shall be placed on the Initial Eligibility Register in order of their relative excellence as determined by their initial weighted test score.

This register is subject to change with the addition of the veteran, educational and law enforcement certification preference points as prescribed in 5/10-2.1-8 and 5/10-2.1-9 of the Act.

Written documentation supporting a claim for preference points shall be required. The Board shall exercise its sound discretion in determining the sufficiency of such documentation.

2. A dated copy of the Initial Eligibility Register shall be sent to each person appearing thereon. Applicants who are eligible for veteran, educational or law enforcement certification preference points shall make a claim in writing with proof thereof within ten (10) days after the date of the eligibility list or such claim shall be deemed waived.

SECTION 9 - FINAL ELIGIBILITY REGISTER.

1. The Board shall prepare a "Final Eligibility Register" which shall include all properly claimed police officer points. In the event of a tie score, the placement of the tied candidates' names on the Final Eligibility Register shall be determined by written exam score. If those scores are equal, then by oral exam score. If those scores are equal, then by lot, in the presence of a quorum of the Board in whatever manner the Board deems appropriate.
2. A dated copy of the Final Eligibility Register shall be sent to each person appearing thereon. This copy shall include the date of expiration of the register two (2) years hence.
3. Applicants shall be appointed from the top 3 rated applicants on the Final Eligible Register.
4. Appointment from this Final Eligibility Register is subject to satisfactorily passing an in-depth psychological examination, polygraph test, 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 10 – LATERAL ENTRANT ELIGIBILITY REGISTER.

In addition to the Initial Eligibility Register and Final Eligibility Register required by Sections 8 and 9, respectively, the Board shall prepare and maintain a Lateral Entrant Eligibility Register identifying all applicants who have applied to the department for examination and requested exemption from the written examination as provided in Section 5 above, and are selected by the Revisions adopted May 17, 2022

Board based upon their performance in connection with the remaining components of the original appointment testing process. Lateral entrants placed on the Lateral Entrant Eligibility Register shall be placed thereon in order of their excellence based upon their final score. The lateral entry applicant with the highest ranking on the Final Lateral Entrant Eligibility Register will be considered tied with the highest ranking applicant on the Final Eligibility Register for purposes of appointment to a vacancy by the Board. The Board, in its sole and absolute discretion, may make an offer of employment to either candidate. Appointment of a candidate from the Lateral Entrant Eligibility Register remains subject to those criteria set forth in Section 9, Paragraph 4 above, as well as all other post-offer requirements established by these rules.

SECTION 11 - PROFESSIONAL EXAMINATIONS AND TEST.

1. Each applicant for original appointment to whom a conditional offer of employment has been extended shall submit to a psychological examination by such psychologist or psychiatrist as approved by the Board. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate him from further consideration. Reports of such psychological examination shall be kept by the Board.
2. Each applicant for original appointment to whom a conditional offer of employment has been extended may be required to submit to a polygraph device, deceptive test, commonly known as a lie detector test, at such time and place as the Board may in writing designate. Such test shall be given without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate him from further consideration. Results of such examination shall be kept by the Board.
3. Each applicant for original appointment to whom a conditional offer of employment has been extended may be required to submit to a Medical examination to be performed by a licensed medical doctor or doctor of osteopathy approved by the Board. Results of such examinations shall be kept by the Board.

SECTION 12 - PROBATIONARY APPOINTMENT.

1. All vacancies to the police department shall be filled by individuals from the Final Eligibility Register in the order in which their names appear on the register and having met all requirements previously listed.
2. All original appointments to the police department shall be for a probationary period of twenty-four (24) months. The probationary period of a newly appointed police officer shall commence on the date said individual reports for work with the department.
3. 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 candidate's original position on the Final Eligibility Register.

4. Probationary police officers may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers by statute or these rules.

SECTION 13 - CERTIFICATION.

Final certification of probationary police officers shall be 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. Inability to successfully complete this course shall be grounds for dismissal.

SECTION 14 - CONFIDENTIALITY.

A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this section, commits a violation of this section and may be subject to charges for official misconduct.

A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

CHAPTER IV – EXAMINATIONS AND ORIGINAL APPOINTMENTS FIRE DEPARTMENT

SECTION 1 - APPLICABILITY.

Unless the Commission elects to follow the provisions of 65 ILCS 5/10-2.1-6.4, this Chapter IV shall apply to all original appointments to an affected full-time fire department. Notwithstanding any statute, ordinance, rule, or other law to the contrary, all original appointments to the fire department shall be administered in the manner provided for in Sec. 10-2.1-6.3 of the Act.

SECTION 2 - ORIGINAL APPOINTMENTS.

All original appointments shall be given to the person with the highest ranking on the final eligibility list. If the Board has reason to conclude that the highest ranked person fails to meet the minimum standards for the position or if the Board believes an alternate candidate would better serve the needs of the department, then the Board has the right to pass over the highest ranked person and appoint either: (i) any person who has a ranking in the top 5% of the register of eligibles or (ii) any person who is among the top 5 highest ranked persons on the list of eligibles if the number of people who have a ranking in the top 5% of the register of eligibles is less than 5 people.

Any candidate may pass on an appointment once without losing his or her position on the register of eligibles. Any candidate who passes a second time may be removed from the list by the Board provided that such action shall not prejudice a person's opportunities to participate in future examinations, including an examination held during the time a candidate is already on a register of eligibles.

The sole authority to issue certificates of appointment shall be vested in the Board. All certificates of appointment issued to any officer or member of an affected department shall be signed by the chairperson and secretary, respectively, of the board upon appointment of such

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officer or member to the affected department by action of the board. Each person who accepts a certificate of appointment and successfully completes his or her probationary period shall be enrolled as a firefighter and as a regular member of the fire department.

SECTION 3 - QUALIFICATION FOR PLACEMENT ON REGISTER OF ELIGIBLES.

The purpose of establishing a register of eligibles is to identify applicants who possess and demonstrate the mental aptitude and physical ability to perform the duties required of members of the fire department in order to provide the highest quality of service to the public. To this end, all applicants for original appointment to the fire department shall be subject to examination and testing which shall be public, competitive, and open to all applicants unless the municipality shall by ordinance limit applicants to residents of the municipality, county or counties in which the municipality is located, State, or nation. Municipalities may establish educational, emergency medical service licensure, and other pre-requisites for participation in an examination or for hire as a firefighter. Any municipality may charge a fee to cover the costs of the application process.

Residency requirements in effect at the time an individual enters the fire service of a municipality cannot be made more restrictive for that individual during his or her period of service for that municipality, or be made a condition of promotion, except for the rank or position of fire chief and for no more than 2 positions that rank immediately below that of the chief rank which are appointed positions pursuant to the Fire Department Promotion Act.

No municipality shall require that any firefighter appointed to the lowest rank serve a probationary employment period of longer than one year of actual active employment, which may exclude periods of training, or injury or illness leaves, including duty related leave, in excess of 30 calendar days.

SECTION 4 - NOTICE, EXAMINATION, AND TESTING COMPONENTS.

Notice of the time, place, general scope, merit criteria for any subjective component, and fee of every examination shall be given by the Commission, by a publication at thirty (30) days preceding the examination: (i) in one or more newspapers published in the municipality, or if no newspaper is published therein, then in one or more newspapers with a general circulation within the municipality, or (ii) on the municipality's Internet website. Additional notice of the examination may be given as the Commission shall prescribe.

The examination and qualifying standards for employment of firefighters shall be based on: mental aptitude, physical ability, preferences, moral character, and health. The mental aptitude, physical ability, and preference components shall determine an applicant's qualification for and placement on the final register of eligibles. The examination may also include a subjective component based on merit criteria as determined by the Commission. Scores from the examination must be made available to the public.

SECTION 5 - MENTAL APTITUDE.

Examination of an applicant's mental aptitude shall be based upon a written examination. The examination shall be practical in character and relate to those matters that fairly test the capacity of the persons examined to discharge the duties performed by members of a fire department. Written examinations shall be administered in a manner that ensures the security and accuracy of the scores achieved.

SECTION 6 - PHYSICAL ABILITY.

All candidates shall be required to undergo an examination of their physical ability to perform the essential functions included in the duties they may be called upon to perform as a member of the fire department. For the purposes of evaluating physical ability, essential functions of the job are functions associated with duties that a firefighter may be called upon to perform in response to emergency calls. Physical examinations shall be open, competitive, and based on industry standards designed to test each applicant's physical abilities in the following dimensions:

1. Muscular strength to perform tasks and evolutions that may be required in the performance of duties including grip strength, leg strength, and arm strength. Tests shall be conducted under anaerobic as well as aerobic conditions to test both the candidate's speed and endurance in performing tasks and evolutions. Tasks tested may be based on standards developed, or approved, by the Board.
2. The ability to climb ladders, operate from heights, walk or crawl in the dark along narrow and uneven surfaces, and operate in proximity to hazardous environments.
3. The ability to carry out critical, time-sensitive, and complex problem solving during physical exertion in stressful and hazardous environments. The testing environment may be hot and dark with tightly enclosed spaces, flashing lights, sirens, and other distractions.

Physical ability examinations administered under this section shall be conducted with a reasonable number of proctors and monitors, open to the public, and subject to reasonable regulations of the Commission. A CPAT Test pass certificate may be required to fulfill the physical aptitude test requirement.

SECTION 7 - SCORING OF EXAMINATION COMPONENTS.

The Board shall create an "Initial Eligibility Register" of the applicants successfully completing the written examination and the physical ability component. Passage of the written examination means a score that is at or above the median score for all applicants participating in the written test.

The examination components for an Initial Eligibility Register shall be graded on a 100-point scale. A person's position on the list shall be determined by the following: (i) the person's score on the written examination, (ii) the person successfully passing the physical ability component, and (iii) the person's results on any subjective component prescribed by the Board.

In order to qualify for placement on the Final Eligibility Register, an applicant's total score, before any applicable preference points are applied, shall be at or above the median score for all applicants participating in the written test. The Board may prescribe the score to qualify for placement on the Final Eligibility Register, but the score shall not be less than the median score for all applicants participating in the written test.

The Commission shall prepare and keep a register of persons whose total score is not less than the minimum fixed by this section and who have passed the physical ability examination. These

persons shall take rank upon the register as candidates in the order of their relative excellence based on the highest to the lowest total points scored on the mental aptitude, subjective component, and preference components of the test administered in accordance with this section. No more than 60 days after each examination, an initial eligibility list shall be posted by the Commission. The list shall include the final grades of the candidates without reference to priority of the time of examination and subject to claim for preference credit.

The Commission may conduct additional examinations, including without limitation a polygraph test, after a Final Eligibility Register is established and before it expires with the candidates ranked by total score without regard to date of examination. No more than 60 days after each examination, an initial eligibility list shall be posted by the Commission showing the final grades of the candidates without reference to priority of time of examination and subject to claim for preference credit.

SECTION 8 - PREFERENCES.

The Commission shall give preference for original appointment to persons designated in items (1) through (3) by adding to the final grade that they receive 5 points for the recognized preference achieved. The Commission shall give preference for original appointment to persons designated in item (4) by adding the requisite number of points to the final grade for each recognized preference achieved. The numerical result thus attained shall be applied by the Commission in determining the final eligibility list and appointment from the eligibility list.

1. Veteran Preference. Persons who were engaged in the military service of the United States for a period of at least one year of active duty and who were honorably discharged therefrom, or who are now or have been members on inactive or reserve duty in such military or naval service, shall be preferred for appointment to and employment with the fire department of an affected department. [5 points]
2. Educational Preference. Persons who have successfully obtained an associate's degree in the field of fire service or emergency medical services, or a bachelor's degree from an accredited college or university shall be preferred for appointment to and employment with the fire department. [5 points]
3. Paramedic Preference. Persons who have obtained certification as an Emergency Medical Technician-Paramedic (EMT-P) shall be preferred for appointment to and employment with the fire department of an affected department providing emergency medical services. [5 points]
4. Experience Preference. All persons employed by a municipality who have been paid on-call or part-time certified Firefighter II, or an equivalent basic firefighter certification pursuant to Sec. 5/10-2.1-6.3 of the Act, State of Illinois or nationally licensed EMT, EMT-I, A-EMT, or an equivalent EMT certification pursuant to Sec. 5/10-2.1-6.3 of the Act, or any combination of those capacities shall be awarded 0.5 point for each year of successful service in one or more of those capacities, up to a maximum of 5 points. Certified Firefighter III, or an equivalent advanced firefighter certification pursuant to Sec. 5/10-2.1-6.3 of the Act, and State of Illinois or nationally licensed paramedics shall be awarded one point per year up to a maximum of 5 points. Applicants from outside the municipality who were employed as full-time firefighters or firefighter-paramedics by a fire protection

district or another municipality for at least 2 years shall be awarded 5 experience preference points. These additional points presuppose a rating scale totaling 100 points available for the eligibility list. If more or fewer points are used in the rating scale for the eligibility list, the points awarded under this subsection shall be increased or decreased by a factor equal to the total possible points available for the examination divided by 100. [up to 5 points]

5. A candidate may not receive the full amount of preference points under this section if the amount of points awarded would place the candidate before a veteran on the eligibility list. If more than one candidate receiving experience preference points is prevented from receiving all of their points due to not being allowed to pass a veteran, the candidates shall be placed on the list below the veteran in rank order based on the totals received if all points under this subsection were to be awarded. Any remaining ties on the list shall be determined by lot.

No person entitled to any preference shall be required to claim the credit before any examination held under the provisions of this section, but the preference shall be given after the posting or publication of the initial eligibility list or register at the request of a person entitled to a credit before any certification or appointments are made from the eligibility register, upon the furnishing of verifiable evidence and proof of qualifying preference credit. Candidates who are eligible for preference credit shall make a claim in writing within 10 days after the posting of the initial eligibility list, or the claim shall be deemed waived. Final eligibility registers shall be established after the awarding of verified preference points. All employment shall be subject to the Commission's initial hire background review including, but not limited to, criminal history, employment history, moral character, oral examination, and medical and psychological examinations, all on a pass-fail basis. The medical and psychological examinations must be conducted last, and may only be performed after a conditional offer of employment has been extended.

Any person placed on an eligibility list who exceeds the age requirement before being appointed to a fire department shall remain eligible for appointment until the list is abolished, or his or her name has been on the list for a period of 2 years.

SECTION 9 – ORAL AND PROFESSIONAL EXAMINATIONS.

1. Each applicant for original appointment to whom a conditional offer of employment has been extended shall submit to an oral examination. All Commissioners shall participate in the oral examination except wherein one Commissioner is absent due to illness or when matters of an emergency nature preclude his attendance. In no event shall less than a majority of the Commissioners conduct the oral examination. Questions shall be asked of the candidate that will enable the Commissioners to properly evaluate and rate the candidate on speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for the position. Upon completion of the oral examination, the Commissioners will discuss the candidate's abilities using the traits listed above. Each Commissioner will then rate the candidate. The candidate's final rating will be the average of the three (or two) Commissioners' ratings. A candidate must receive a minimum of a 70% rating to pass the oral examination, or she or he is automatically eliminated from all further consideration.

2. Each applicant for original appointment to whom a conditional offer of employment has been extended shall submit to a psychological examination by such psychologist or psychiatrist as approved by the Board. Such examination shall be without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate him from further consideration. Reports of such psychological examination shall be kept by the Board.
3. Each applicant for original appointment to whom a conditional offer of employment has been extended may be required to submit to a polygraph device, deceptive test, commonly known as a lie detector test, at such time and place as the Board may in writing designate. Such test shall be given without expense to the applicant. Failure of the applicant to take or successfully complete such test shall eliminate him from further consideration. Results of such examination shall be kept by the Board.
4. Each applicant for original appointment to whom a conditional offer of employment has been extended may be required to submit to a Medical examination to performed by a licensed medical doctor or doctor of osteopathy approved by the Board. Results of such examinations shall be kept by the Board.

SECTION 10 - PROBATIONARY APPOINTMENT.

1. All vacancies to the fire department shall be filled by individuals from the Final Eligibility Register in accordance with Section 2 of this Chapter.
2. All original appointments to the fire department shall be for a probationary period of twelve (12) months. The probationary period of a newly appointed firefighter shall commence on the date said individual reports for work with the department.
3. Probationary firefighters may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time firefighters by statute or these rules.

SECTION 11 - TEMPORARY APPOINTMENTS.

In order to prevent a stoppage of public business, to meet extraordinary exigencies, or to prevent material impairment of the fire department, the Commission may make temporary appointments, to remain in force only until regular appointments are made under the provisions of this division, but never to exceed 60 days. No temporary appointment of any one person shall be made more than twice in any calendar year.

SECTION 12 - CONFIDENTIALITY.

A person who knowingly divulges or receives test questions or answers before a written examination, or otherwise knowingly violates or subverts any requirement of this section, commits a violation of this section and may be subject to charges for official misconduct. A person who is the knowing recipient of test information in advance of the examination shall be disqualified from the examination or discharged from the position to which he or she was appointed, as applicable, and otherwise subjected to disciplinary actions.

CHAPTER V – PROMOTIONAL EXAMINATIONS

SECTION 1 - GENERAL.

The Board, by its rules, shall provide for promotion in the fire and police departments on the basis of ascertained merit and seniority in service and examination, and shall provide in all cases, where it is practicable, that vacancies shall be filled by promotion. All examinations for promotion shall be competitive among such members of the next lower rank as desire to submit themselves to examination. All promotions shall be made from the three (3) having the highest rating, and where there are less than three (3) names on the promotional eligibility register, as originally posted, or remaining thereon after appointments have been made there from, appointments to fill existing vacancies shall be made from these names or name remaining on the promotional register. The method of examination and the rules governing examinations for promotion are specified below. The Board shall strike off the names of candidates for promotional appointment after they have remained thereon for more than three (3) years. Candidates who timely request that veteran's preference points be added to their scores, as provided by statute, must provide proof of veteran status. Veteran's preference points may only be used once by a candidate for promotion purposes throughout his employment on either the fire or police department. In order to qualify for any promotional list, candidates must have a total score of at least 65% out of a 100%, which total score shall include the candidate's scores for the written examination, merit & efficiency/Chief's Points, the oral interview and/or assessment center sections, and seniority (before veteran's preference points).

In the event no candidate from the immediate next lower rank qualifies for promotion, the Board may review the written test to assure that it reflects the most current firefighting or police procedures that each department practices. If the Board finds that the given written test does not reflect current practices of the fire or police department, another written test will be offered to those involved in the testing process and the new scores compiled with the other testing components. In the event no candidate from the immediate next lower rank qualifies after a second written test has been administered, the Board may seek a qualified replacement from outside the fire or police department to fill an opening.

All components of the promotional process shall be impartial and shall relate to those matters which will test the candidate's ability to discharge the duties of the position to be filled, and be pertinent to the particular rank for which the examination is being given. The placement of employees on promotional lists shall be based on the points achieved by the employee on promotional examinations consisting of the following components weighted as specified:

1. The testing shall be as follows: (1) Written Examination, (2) Seniority, (3) Merit and Efficiency, and (4) Oral Interview and/or Assessment Center Examination.
2. The following weights shall be assigned to the individual components of the promotional test: (1) Written Examination-37.5%, (2) Seniority-5%, (3) Merit and Efficiency/Chief's Points -20%, and (4) Oral Interview and/or Assessment Center Examination-37.5%.
3. Upon written request of an applicant, individual component scores will be made available to that applicant, in writing, prior to the next step of the testing procedure.

4. Seniority shall be calculated as follows: 0.5 of a point for each full year of service with the South Beloit Fire Department for fire promotional testing, or 0.5 of a point for each full year of service with the South Beloit Police Department for police promotional testing. Points accumulate up to a maximum of ten (10) years (5 points). Seniority shall be calculated as of the date of the written examination and awarded prior to the start of the oral examination.

Examination	% of Total Grade	Minimum Passing
Written Examination	37.5%	N/A
Seniority	5.0%	N/A
Merit and Efficiency / Chief's Points	20.0%	N/A
Oral Interview and/or Assessment Center	37.5%	N/A
Total Score (before Veteran's Preference Points)	100%	65%

Fire Department:

In order to be eligible for promotion to the next rank, fire fighters must meet the minimum qualification of three (3) years of active consecutive service at the current rank within the South Beloit Fire Department from the date of hire on or before applications are closed for promotion.

With respect to promotional testing in the Fire Department, the Fire and Police Commission shall comply in all respects with the Illinois Fire Department Promotion Act (the "IFDPA"), 50 ILCS 742/1 et seq. In the event of a conflict between these Rules and the IFDPA, the IFDPA shall control.

Police Department:

In order to be eligible for promotion to rank of Sergeant, patrolmen must meet the minimum qualification of three (3) years of active consecutive service within the South Beloit Police Department from the date of hire on or before applications are closed for promotion.

SECTION 2 - WRITTEN EXAMINATION

The written examination for each rank shall consist of matters relating to the duties regularly performed by persons holding that rank within the Department. The examination shall be based only on the contents of written material that the Fire and Police Commission has identified and made readily available to potential examinees before the examination is administered. The test questions and material must be pertinent to the particular rank for which the examination is being given. The written examination shall be administered first, before the determination and posting of the seniority list, professional achievement, merit and efficiency, and oral interview and/or assessment center examination scores.

SECTION 3 - ORAL EXAMINATION

The oral examination is a subjective examination. The oral examination of each rank shall consist of questions to enable the Board to evaluate each applicant's capacity to discharge the duties of the position to which he/she seeks promotion. The candidate's written application, the results of an assessment center (if any), the results of any peer assessment (if any), the Chief's comments during the interview and during deliberations, and the annual evaluation and

personnel file of the applicant for promotion may be considered by the Board in connection with its subjective evaluation. No question regarding a candidate's political or religious opinions or affiliation shall be posed by the Board or any examiners. The oral examination shall be conducted by 3 examiners, as appointed by the Board. Examiners shall be selected from command staff personnel (i.e., Chiefs or Deputy Chiefs), whom currently serve in certified Illinois police departments outside of the City of South Beloit. The oral examination score awarded for each candidate for promotion shall be the average of the scores of those examiners present during the oral examination. The Board shall appoint a Commissioner of the Board to serve as the moderator of the oral examinations. The moderator shall preside over and proctor the oral examinations but not score them.

SECTION 4 - MERIT & EFFICIENCY.

Merit and efficiency points will be awarded by the Chief of Police or Fire Chief, in his/her sole discretion, with input from assisting supervision staff according to each candidate's achievements in the following categories and subcategories:

1. Personnel File Review (5 point potential).
 - Commendations
 - Disciplinary Actions
 - Avoidable Actions
 - Special Skills/Extra Duty Assignments

2. Education/Experience (5 point potential).
 - Education
 - Seniority
 - Community Involvement
 - Other Accomplishments

3. Performance Evaluations (5 point potential).
 - Scores on Evaluations
 - Productivity Level

4. Interview (5 point potential).
 - Appearance
 - Communication Skills
 - Motivation
 - Decisiveness/Judgment
 - Preparation

SECTION 5 - TOTAL SCORE.

A candidate's total score shall consist of the combined scores of the written examination, merit/efficiency/Chief's Points rating, seniority, and oral examination and/or assessment center examination plus any veteran's preference points. Candidates shall take rank upon a promotional eligibility register in the order of their relative excellence as determined by their total score. In the event of a tie score, the placement of the tied candidate's names on the eligibility list shall be determined by lot, in the presence of quorum of the Board, in whatever manner the Board deems appropriate.

SECTION 6 - PROMOTIONAL VACANCY.

Upon notice from the appropriate corporate authority that a promotional vacancy exists, the Board shall select the individual to be promoted in the manner specified in Section 1 of this Chapter V.

CHAPTER VI – ORDER OF RANK, CLASSIFICATION AND OATH OF OFFICE

SECTION 1 - RANK.

The order of rank in the fire and police departments shall be provided by ordinance and municipal budget.

SECTION 2 - CLASSIFICATION.

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

SECTION 3 - OATH OF OFFICE.

Before entering duty, any person about to become a member of the fire or police department, shall take the following oath, before any person authorized to administer oaths in the State of Illinois.

“I, _____, 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 on this _____ day of _____, 20__.

NOTARY PUBLIC.”

CHAPTER VII – HEARING OF CHARGES, REMOVALS, SUSPENSIONS AND DISCHARGES

SECTION 1 - HEARING OF CHARGES.

1. Hearings before the Board are administrative in nature and not common law proceedings. The provisions of the “Code of Civil Procedure” or “Code of Criminal Procedure” do not apply to hearings before the Board.
2. “Counsel” as used herein means an attorney at law who is licensed to practice law pursuant to Illinois Supreme Court Rules and a member in good standing with the Illinois Supreme Court.
3. No rehearing, reconsideration, modification, vacation or alteration of a decision of the Board shall be allowed, except upon good cause shown by a party to the hearing, or by the Board in the sound exercise of its sole and absolute discretion.
4. For purposes of the following section, “Cause” is some substantial shortcoming that renders continued employment in some way detrimental to the discipline and efficiency of the public service and/or something that the law and sound public opinion recognize as cause for the officer no longer occupying his position. The Board shall in its sole and absolute discretion determine what constitutes cause.
5. The complainant or appellant initiating any proceedings that call for a hearing before the Board shall bear 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 the department, is unwarranted. Should the question of a crime be involved, the rule of “reasonable doubt” shall not control.
6. The phrase “preponderance of evidence” is defined as the greater weight of the evidence, that is to say, it rests with the 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.
7. Probationary officers and firefighters may be summarily dismissed by the Board and are not entitled to the protection afforded to other full-time officers by statute or these rules.
8. All hearings shall be public, in accordance with the Open Meetings Act, except that deliberations of the Board may take place in closed session.
9. At the time and place of hearing, parties may be represented by counsel if they so desire.
10. All open proceedings before the Board shall be recorded by a court reporter employed by the Board.
11. No records will be transcribed by the court reporter unless requested to do so by the Board or any party of interest. Costs of transcription shall be paid by the requesting party.

12. All witnesses shall be sworn by the Board Secretary or appointed hearing officer prior to testifying and the matter will be decided by the Board solely on evidence presented at the hearings.
13. The Board will first hear the witnesses either substantiating the charges that have been made against the respondent or in support of an appeal brought by the suspended party. 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. The Board may, but is not required to, allow opening and closing statements. The Board may question parties and witnesses for clarification of evidence presented.

SECTION 2 - HEARING PROCEDURE.

1. **Designation of Hearing Officer:** The Commission may designate a hearing officer to preside over a hearing required by these Rules and Regulations. The hearing officer shall have all powers necessary and appropriate to conduct a fair, full and impartial hearing, including but not limited to the following: (a) to provide for discovery and to determine its scope; (b) to issue subpoenas; (c) to regulate the course of the hearing and the conduct of the parties and their counsel; (d) to administer oaths and affirmations; (e) to rule upon evidentiary objections, offers of proof and to receive relevant evidence; (f) to consider and rule upon procedural requests; (g) to examine witnesses and/or direct witnesses to testify in response to questions from the Commission; and (h) to limit the times any witnesses may testify, limit repetitive testimony and set reasonable limits on the amount of time each witness may testify.
2. **Complaints:** In all cases, written complaints shall be filed in quintuple, setting forth a plain and concise statement of the facts upon which the complaint is based.
3. **Probable Cause:** The Board shall have the right in its sole and absolute discretion to determine whether probable cause exists to conduct a full hearing on the merits of the complaint and may conduct such informal hearings as may be necessary for such purpose.
4. **Notification of Hearing:** Upon the filing of a complaint in quintuple with the Secretary of the Board, and the determination by the Board of probable cause for entertaining said complaint, the Secretary of the Board shall notify both the complainant and the respondent, either by registered or certified mail, return receipt requested, or personally, of the time and place of the hearing of the charges contained in the complaint. The respondent shall also be served with a copy of the Complaint, and if an Order of Suspension Pending a Hearing is entered by the Board, the respondent, the complainant, the chief of the department, the treasurer, comptroller, manager, or other finance officer of the municipality shall be notified of the entry of such Order of Suspension Pending a Hearing, and be served either personally or by registered or certified mail, return receipt requested, with a copy of such Order.
5. **Continuances:** The matter of granting or refusing to grant a continuance of a hearing is within the sole and absolute discretion of the Board.

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

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

7. 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.

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

SECTION 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 filed with the Board, except as herein otherwise provided. Proof of service of any paper may be made by the certification of any person so mailing the paper or delivering the same to the designated party personally, or by filing a return receipt showing that a paper was mailed, by either registered or certified mail, return receipt requested, to a party's address where it was received by a named party.

SECTION 5 - FILING.

All papers may be filed with the Board by mailing them or delivering them personally to the Secretary of the Board at 519 Blackhawk Blvd., Suite 2, South Beloit, Illinois 61080. For the purpose of these Rules and Regulations, the filing date of any paper shall be the date it was received in the Board's office, in the event the paper is delivered personally or by messenger. In the event a paper is forwarded by mail, then the filing date shall be the date which is postmarked on the envelope of such paper.

SECTION 6 - FORMS OF PAPER.

1. All papers filed in any proceeding shall be typewritten or printed and shall be on one side of the paper only.
2. If typewritten, the lines shall be double spaced, 12 point font, except that long quotations may be single spaced and indented.
3. All papers shall be not larger than 8 1/2" x 11" with inside margins of not less than one inch.
4. 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 and copies thereof provided the opposing party or his counsel.
5. 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 and Regulations 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.

1. The Board may suspend any member of the fire or 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.
2. The Chief of the fire and police departments 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 five (5) days of the time of such suspension. Any policeman or fireman so suspended may appeal to the Board for a review of the suspension within five (5) days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board of Fire and Police Commissioners. A hearing shall be had upon such appeal, and due notice given to the Chief of the Department who suspended such Officer, and to the Officer so suspended.
3. The burden of establishing that a suspension is unwarranted shall be upon the individual bringing the appeal.
4. Upon such appeal, the Board may sustain the action of the Chief of the Department, may reverse it with instructions that the officer so suspended receive his pay for the period involved, may suspend the officer for a period of not more than thirty (30) days, or discharge him, depending on the evidence presented.

SECTION 9 - DISCHARGE OR SUSPENSION AFTER HEARING.

Discharge from office, or suspension from service in the fire or police departments shall be in compliance with the Fire and Police Commissioners Act of the State of Illinois, being Division 2, Sections 5/10-2.1-1 through 5/10-2.1-30, inclusive, of Chapter 65 of the Illinois Compiled Statutes.

The Board shall make its findings of record within a reasonable time after the hearing is completed.

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

SECTION 11 - FINDINGS AND DECISIONS.

In case any member of the fire or police departments shall be found guilty of the charges brought 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. Upon appeal, the Board may sustain the action of the Chief, may reverse it, in whole or in part, or may suspend the officer or firefighter for an additional period of not more than thirty (30) days or discharge him depending on the facts presented.

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

SECTION 12 - RULES - CONFLICT.

The personnel of the fire and police departments shall be governed by the Rules as adopted by the Commission and the Regulations of the fire and police departments as adopted by ordinance. In case of conflict, the Rules of the Board shall govern.

SECTION 13 - VIOLATION OF RULES.

All members of the fire and police departments shall be subject to the regulations of such departments, and the rules of the Board, and a violation of such rules or regulations may be cause for filing of charges before the Board, a subsequent hearing and action by the Board on such charges.

SECTION 14 - VIOLATION OF LAW.

Any violation of the laws of the municipality or state or federal law, by any member of the fire and police departments of such municipality may be cause for the filing of charges against said officer, except as herein otherwise provided.

Revisions adopted May 17, 2022

SECTION 15 - APPEALS.

The Appeal procedure of all decisions made by the Commission shall be governed solely by Illinois Administrative Review Act, 735 ILCS 5/3-101 et seq.

CHAPTER VIII – GENERAL

SECTION 1. - RESERVATION OF POWERS.

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 2. - CONFLICTS.

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

SECTION 3 - LEAVE OF ABSENCE.

Leaves of absence shall be granted by reason of military service or duty-related disability as specified in Illinois Compiled Statutes, Chapter 65, Section 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 employee returns from his leave of absence.

SECTION 4 - POLITICAL CONTRIBUTIONS.

No member of the Fire Department or Police Department of the City of South Beloit, Illinois, shall be under any obligation to contribute funds or to render political service as a condition of employment or promotion. No member of the Fire Department or the Police Department of the City of South Beloit, Illinois, shall discharge, promote, reduce or in any manner change the official rank or compensation of any member in such service, or promise or threaten so to do, for withholding or refusing to make any contribution of money or service or any other valuable thing for any political purpose, or in any other manner, directly or indirectly, use his official authority or influence to compel or induce any other person to pay or render any political assessment, subscription, contribution or service.

SECTION 5 - REINSTATEMENT AFTER RESIGNATION.

If a member of the fire and police department resigns, and he or she seeks reinstatement, the Commission may, if a vacancy exists, within one (1) year of which such resignation took effect, reinstate him or her with the same rank or position held at the time of resignation. First, however, he or she shall complete any examinations prescribed by the Commission.

SECTION 6 - VIOLATION OF RULES.

All members of the fire and police departments shall be subject to the Rules and Regulations of such departments, and the Rules and Regulations of the Commission. In case of conflict, the rules of the Commission shall govern. A violation of the Rules and Regulations listed above shall be cause for filing a complaint before the Commission.

SECTION 7 - VIOLATION OF LAW.

Any violation of the laws of the municipality or state or federal law by any sworn member of the fire or police department of such municipality may be cause for the filing of a complaint against said officer.

SECTION 8 - SAVINGS CLAUSE.

Should any section or portion thereof of these Rules and Regulations be held unlawful or unenforceable by any court or governmental agency of competent and final jurisdiction under legislation, state or federal, in effective date hereof, such decision of such court or agency shall apply only to that section, or portion thereof and shall not invalidate any other provision of this agreement.