

RULES AND REGULATIONS  
OF THE  
BOARD OF FIRE AND POLICE COMMISSIONERS  
VILLAGE OF RANTOUL  
CHAMPAIGN COUNTY  
STATE OF ILLINOIS

ADOPTED: April 10, 2001

REVISED: July 19, 2021

PUBLISHED: July 21, 2021

EFFECTIVE: July 31, 2021

## TABLE OF CONTENTS

	<b>Page</b>
<b>ARTICLE I     ADMINISTRATION.....</b>	<b>1</b>
<b>ARTICLE II    APPLICATIONS.....</b>	<b>3</b>
<b>ARTICLE III   ORIGINAL APPOINTMENTS.....</b>	<b>5</b>
<b>ARTICLE IV    PROMOTIONS.....</b>	<b>8</b>
<b>ARTICLE V     SUSPENSIONS, DICHARGES AND HEARINGS....</b>	<b>9</b>
<b>ARTICLE VI    GENERAL.....</b>	<b>13</b>

**RULES AND REGULATIONS  
OF THE  
BOARD OF FIRE AND POLICE COMMISSIONERS  
OF THE  
VILLAGE OF RANTOUL  
CHAMPAIGN COUNTY  
STATE OF ILLINOIS**

**ARTICLE I – ADMINISTRATION**

**SECTION 1.1 – SOURCE OF AUTHORITY.**

The Board of Fire and Police Commissioners of the Village of Rantoul, Champaign County Illinois derives its power and authority from Division 2.1. Board of Fire and Police Commissioners, of Article 10 of the Illinois Municipal Code (65 ILCS 5/10-2.1-1 et seq.), including as the same is supplemented and amended by the authority of the Village of Rantoul as a home rule unit under Section 6 of Article VII of the Constitution of the State of Illinois.

**SECTION 1.2 – DEFINITIONS.**

For the purpose of these Rules, the following capitalized words, terms or phrases shall have the meanings respectively ascribed to them in this Section below. Any such words, terms or phrases used in the present tense shall include the future, any such words of the singular number shall include correlative words of the plural number and vice versa, and any reference to any gender shall include both genders and the neuter, as the case may be.

**Act** means Division 2.1. Board of Fire and Police Commissioners, of Article 10 of the Illinois Municipal Code (65 ILCS 5/10-2.1-1 et seq.), as supplemented and amended, including by any Supplementing or Amending Authority.

**Board** means the Board of Fire and Police Commissioners of the Village.

**Corporate Authorities** means the President and Board of Trustees of the Village.

**Officer** means any person holding a permanent full-time position as a police officer in the Police Department of the Village other than the positions of Chief of Police and Deputy Chief of Police.

**Rules** means these rules as made by the Board to carry out the purposes of the Act, including as the same may be changed by the Board from time to time in accordance with the Act.

**Supplementing or Amending Authority** means, in connection with the subject matter of the Act or these Rules, any ordinance or ordinances adopted by the Corporate Authorities of the Village pursuant to its power and authority as a home rule unit under Section 6 of Article VII of the Constitution of the State of Illinois,

including, with respect to any application of the Act or these Rules to any Officer in a collective bargaining unit, the applicable provisions of the collective bargaining agreement then in effect as duly approved by the Corporate Authorities of the Village by ordinance or resolution.

**Village** means the Village of Rantoul, Champaign County, Illinois.

### **SECTION 1.3 – OFFICERS OF BOARD AND THEIR DUTIES.**

The Board shall annually, on the first regular meeting in January of each year, elect a Chairman, who shall hold such office until the end of the calendar year and until his or her successor is duly elected and qualified. The Chairman shall be the presiding officer at all meetings of the Board. The Human Resources Director of the Village shall serve as the Secretary of the Board ex officio and shall keep the minutes of all meetings of the Board in a permanent record book, shall be the custodian of all forms papers, books, records and completed examinations of the Board and shall act as the agent of the Board in accordance with such lawful direction as may be given from time to time by the Board.

### **SECTION 1.4 – MEETINGS.**

1.4.1 Regular Meetings. Regular meetings of the Board shall be held quarterly on the 3<sup>rd</sup> Wednesday of January, April, July and October of each year.

1.4.2 Special Meetings. Special meetings of the Board shall be 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 of the Board. Such notice shall contain a brief statement of the business to be submitted for the consideration of the Board at any such special meeting and shall set forth the date, time and place of such special meeting. No other business shall be considered by the Board at any such special meeting.

1.4.3 Notice of Meetings. Notice of any regularly scheduled or special meeting of the Board shall be given and any such meeting shall be held in accordance with the Open Meetings Act (5 ILCS 120/1 et seq.), as supplemented and amended.

### **SECTION 1.5 – QUORUM.**

A majority of the members of the Board shall constitute a quorum for the conduct of all business at any regular or special meeting of the Board.

### **SECTION 1.6 – ORDER OF BUSINESS.**

The order of business at any regular meeting of the Board shall be:

- a) Approval of the Minutes
- b) Communications
- c) Unfinished Business
- d) New Business
- e) Adjournment

## **SECTION 1.7 – PROCEDURE.**

The parliamentary procedure prescribed in Robert’s Rules of Order shall be followed as far as practicable at all regular or special meetings of the Board.

## **SECTION 1.8 – AMENDMENTS.**

The Board from time to time may make changes to these Rules at any regular or special meeting of the Board. These Rules and/or changes therein shall be printed as soon as reasonably practical for distribution. The Board shall give notice of the place or places where any such Rules or any changes therein may be obtained and shall specify the date, not less than 10 days subsequent to the date of publication, when any such rules or any changes therein shall go into effect. Such notice shall be published in a newspaper published within the Village.

## **SECTION 1.9 – ANNUAL REPORT AND BUDGET REQUEST.**

The Board shall submit an annual report of its activities and a copy of these Rules as then in force and effect, including the practical effect thereof, to the Village President, and shall also submit an annual budget request for the ensuing fiscal year to the Corporate Authorities prior to the end of each fiscal year of the Village.

## **ARTICLE II – APPLICATIONS**

### **SECTION 2.1 – CITIZENSHIP/RESIDENCE.**

Any applicant for examination shall be a citizen of the United States or an alien admitted for permanent residence (or lawfully admitted for temporary residence) who produces evidence of intention to become a citizen of the United States.

### **SECTION 2.2 – APPLICATIONS.**

2.2.1 Application Forms. Any application for any Officer position shall be filed upon such forms as may be prescribed from time to time by the Board. Any applicant for any such Officer position shall comply with the requirements of such form in every respect. Any such applicant shall file such application with the Board prior to taking any examination.

2.2.2 Qualifications. Each applicant for any such Officer position must be of good moral character, of temperate habits, of sound health and be physically able to perform the duties of such position. The burden of establishing any such qualifications shall rest upon each such applicant.

2.2.3 Records. Each such applicant shall furnish with his or her application a copy of the following, if applicable: a) Military Service Record, b) Discharge Papers, c) Social Security Card, d) Birth Certificate, e) High School Diploma or G.E.D. Certificate, f) College or University Degree and, if requested, g) a certified transcript of course work from an accredited College or University.

2.2.4 False Statements. Any false statement knowingly made by any person in any application, any connivance in any false statement made in any certificate which may accompany any such application, or any complicity in any fraud relating to any such application shall be regarded as good cause for exclusion from examination.

### **SECTION 2.3 – DISQUALIFICATION.**

The Board may refuse to examine any applicant or, after examination, refuse to certify any such applicant as eligible for appointment if any such applicant:

- a) is found lacking in any of the established preliminary requirements for an Officer;
- b) is physically unable to perform the duties of an Officer position, with or without reasonable accommodation;
- c) is addicted to the use of any drug or intoxicating beverage or is found to have illegally taken or used any drug and/or narcotic;
- d) has been convicted of a felony or of any misdemeanor involving moral turpitude, as specified in Section 10-2.1-6 of the Act;
- e) has been dismissed for cause from any public sector position;
- f) has attempted to practice any deception or fraud in his or her application;
- g) is found to be disqualified in personal qualifications;
- h) has unsatisfactory character or employment references;
- i) does not possess a high school education or its equivalent; or
- j) is or has been classified by his or her local selective service draft board as a conscientious objector.

Any applicant for appointment, or eligible applicant, who is deemed to be disqualified hereunder shall be notified of such disqualification by the Board.

### **SECTION 2.4 – DEFECTIVE APPLICATIONS.**

Any defective application shall be returned to the applicable applicant for correction, provided such applicant is not otherwise disqualified for appointment.

### **SECTION 2.5 – AGE REQUIREMENTS.**

Applicants must not be less than 21 years of age (without regard to any age limitation) at the time of application.

## **SECTION 2.6 – NOTICE OF ACCEPTANCE.**

The Secretary will notify any applicant whose application has been accepted by the Board to be present for orientation and subsequent examination and to provide at such time an executed physicians statement that certifies that he or she is physically capable of participating in a strenuous physical aptitude test.

## **SECTION 2.7 – RELEASE OF LIABILITY.**

Any applicant shall execute and deliver to the Board a release of all liability in connection with taking any such strenuous physical aptitude test. Any such release shall be on such form as may be prescribed by the Board.

## **CHAPTER III – ORIGINAL APPOINTMENTS**

### **SECTION 3.1 – NOTICE OF EXAMINATIONS.**

Any examination for original appointment shall be held on a continuing basis and information regarding testing will be advertised on the Police Department's website, as well as in such other publications as may be selected by the Board. Any such examination may be postponed by order of the Board, which such order shall state the reason or reasons for any such postponement and shall designate a new date and time for any such examination. Any applicant shall be notified of any such postponement of any examination and of the new date or dates and times designated for any such examination.

### **SECTION 3.2 – EXAMINATIONS.**

A call for any such examination by the Board shall be entered in the minutes of the Board and shall include a statement of:

- a) the time and place where any such examination will be held;
- b) the location where any application may be obtained and the date by which any such application must be returned; and
- c) the position to be filled from the resulting eligibility list.

### **SECTION 3.3 – TYPE OF EXAMINATIONS.**

Any applicant shall be required to participate in any written and oral examinations as determined by the Board and as more particularly set forth in Section 3.4 of this Article below. No examination shall contain questions regarding the political or religious opinions or affiliations of any applicant.

**SECTION 3.4 – EXAMINATIONS – MINIMUM SCORE.**

The following examinations may be conducted by the Board. The sequence of any particular examination or test may vary at the discretion of the Board. Failure to pass or to achieve the minimum passing score in any such examination shall disqualify any such applicant from any further participation.

<u>Examinations</u>	<u>% of Total Grade</u>	<u>Minimum Passing</u>
Written Examination	40%	70
Oral Examination (Interview)	60%	No Minimum Score
Background Investigation	-	Pass or Fail
Psychological Examination	-	Pass or Fail
Medical Examination	-	Pass or Fail

Note: For any applicant whose name appears on the “Initial Eligibility Register” (as described in Section 3.8 of this Article below) and who is entitled to military or educational preference points under Sections 10-2.1-8 and 10-2.1-9 of the Act upon the request of any such applicant, the Board shall add five (5) points to the final grade average which he or she receives or will receive as a result of any such examination. Any such preference points shall not be cumulative.

**SECTION 3.5 – MAXIMUM ATTEMPTS – EXAMINATION.**

Any applicant shall only be permitted one attempt to complete and/or pass the examination in a one-year period.

Any applicant who fails to show-up or fails to provide advanced notice of his/her unavailability to complete the examination, at the assigned time, shall be disqualified. Any applicant disqualified may reapply after one year.

**SECTION 3.6 – ORIGINAL APPOINTMENT – PHYSICAL APTITUDE TEST.**

Upon hiring, any probationary officer required to attend the Police Training Institute, will be required to pass certain objectives set forth by the Illinois Law Enforcement Training and Standards Board, including a physical aptitude test. Failure to pass the required physical aptitude test may result in termination of employment.

**SECTION 3.7 – ORIGINAL APPOINTMENT – WRITTEN EXAMINATIONS.**

Any written examination shall be and remain the property of the Board. The grading by the Board of any such written examination shall be final and conclusive and shall not be subject to review. Any applicant who fails to achieve a passing grade in connection with any such written examination shall be notified of such fact by the Board and shall be eliminated from any further consideration. The minimum passing score will 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.

### **SECTION 3.8 – ORIGINAL APPOINTMENT – ORAL EXAMINATION.**

All members of the Board shall participate in any oral examination except where one member of the Board is absent due to illness or when matters of an emergency nature preclude any such member's attendance. In no event shall less than a majority of members of the Board conduct any oral examination. Only questions that will enable the members of the Board to properly evaluate and grade any applicant or any matter, including, but not limited to, speech, alertness, ability to communicate, judgment, emotional stability, self-confidence, social skill and general fitness for an officer position shall be asked of any applicant. On completion of each oral examination, the members of the Board will evaluate each applicant. Any applicant who fails to successfully complete such oral examination will be notified of such fact by the Board and eliminated from all further consideration.

### **SECTION 3.9 – INITIAL ELIGIBILITY REGISTER.**

3.8.1 Board to Prepare. The board shall cause an "Initial Eligibility Register" to be prepared of all applicants who have successfully completed the physical aptitude test, written examination and oral examination. Any such applicant shall be placed on such Initial Eligibility Register in the order of his or her relative excellence as determined by his or her examination scores. Any such Initial Eligibility Register shall be subject to change with the addition of any claimed preference points as prescribed in Sections 10-2.1-8 and 10-2.1-9 of the Act.

3.8.2 Posting and Notice. A copy of such Initial Eligibility Register shall be dated, posted and sent to each applicant appearing thereon by first-class mail, postage prepaid. Any applicant who is eligible for preference points as prescribed in Sections 10-2.1-8 and 10-2.1-9 of the Act shall make a claim in writing for such points, together with proof to support any such claim, within ten calendar (10) days after the date that any such Initial Eligibility List was posted and sent or any such claim shall be deemed waived.

### **SECTION 3.10 – FINAL ELIGIBILITY REGISTER.**

3.10.1 Entry onto Final Eligibility Register. Entry onto registers shall be on a continuing basis, as candidates continue to qualify by the Board's examination process. The Board may conduct testing at such intervals as appropriate to ensure that the register reflects the pool of currently interested and qualified applicants and that an adequate pool of candidates will be available for appointment from the register.

3.10.2 Board to Prepare; Ties. The Board shall cause a "Final Eligibility Register" to be prepared which shall include all claimed preference points as prescribed in Sections 10-2.1-8 and 10-2.1-9 of the Act. In the event of a tie score, the placement of any tied applicants' names on the Final Eligibility Register shall be determined by lot, in the presence of a quorum of the members of the Board, in whatever manner such members of the Board deem appropriate.

3.10.3 Posting and Notice. A copy of such Final Eligibility Register shall be dated, posted and sent to each applicant appearing thereon.

3.10.4 Appointments. Any applicant shall be appointed from the Final Eligibility Register by the Chief of Police in accordance with the provisions of any applicable Supplementing or Amending Authority. Notwithstanding anything to the contrary contained within these Rules, the Chief of Police may, in his or her discretion, choose to appoint, ahead of any other applicant listed on any Final Eligibility Register, any applicant who has previous post-probationary experience as a police officer in accordance with any Supplementing or Amending Authority.

3.10.5 Other Examinations and Tests. Any such appointment from any such Final Eligibility Register shall be subject to satisfactorily passing the background investigation, psychological examination, and a thorough medical examination (which may include a test for vision, hearing, the presence of communicable diseases, or the use of drugs and/or narcotics).

3.10.6 Duration of Names on Final Eligibility Register. The Board may strike off names of candidates from a register without cause after they have remained thereon more than one (1) year.

3.10.7 Removal for Cause. The Board may remove a name from the list for cause, at any time. Upon involuntary removal of the name, the Board will mail written notification to the candidate. Any of the following shall be sufficient cause for removal of a candidate from an eligible register, though removal may be made for cause other than those enumerated:

- a) Fraud in employment application.
- b) Failure of physical or medical examination or drug screen.
- c) Unfavorable background checks.
- d) Voluntary removal or removal for lack of availability.

The Chairman may act on behalf of the Board to remove a name for any of the reasons enumerated above. The Chairman may remove a name from the register upon the candidate's request, or when the candidate fails to respond within fourteen days from the date of mailing of a written request for the candidate to reaffirm availability, or when such a letter is returned as undeliverable to the address last provided by the candidate. For purposes of this paragraph, a candidate's failure to respond to such a mailed letter shall be considered a voluntary withdrawal from the register even if the letter was undeliverable.

## **SECTION 3.11 – PROFESSIONAL EXAMINATIONS AND TESTS.**

3.11.1 Psychological Examinations. Any applicant for original appointment shall be required to submit to a psychological examination by such psychologist or psychiatrist as the Board may designate. Such psychological examination shall be without expense

to the applicant. Failure of any applicant to take or successfully complete any such psychological examination shall eliminate any such applicant from further consideration.

3.11.2 Medical Examination. Any applicant for original appointment shall be required to submit to a medical examination by a licensed physician as the Board may designate. Any such medical examinations shall be without expense to the applicant.

### **SECTION 3.12 – DECLINED APPOINTMENT.**

Any applicant whose name appears on the final Eligibility Register may decline any appointment. If any such appointment is declined, the Board, at its option, may strike the name of any such applicant from the Final Eligibility Register or, for good cause shown, may maintain the name of any such applicant upon the Final Eligibility Register without otherwise changing such applicant’s original position on the Final Eligibility Register.

## **ARTICLE IV – PROMOTIONS**

### **SECTION 4.1 – GENERAL.**

Any promotion to the position of Sergeant in the Police Department shall on the basis of ascertained merit and seniority in service and examination. All examinations for promotion to the position of Sergeant in the Police Department of the Village shall be competitive among such Officers of the Police Department of the Village who meet the respective qualifications for any such positions as set forth in the Supplementing or Amending Authority and who desire to submit themselves to examination. All promotions shall be made from the three (3) individuals having the highest rating on the “Promotional Eligibility Register”. The method of examination and the rules governing examinations for promotion are specified below. The Board shall strike the name of any Officer who is a candidate for promotion after remaining on the “Promotional Eligibility Register” for more than three (3) years, provided there is no vacancy which can be filled from such “Promotional Eligibility Register” as of such date. For the purpose of determining that a vacancy exists in any position of Sergeant, the Board shall have received notice from the Corporate Authorities to fill an existing vacancy prior to the date the names are to be stricken from the “Promotional Eligibility Register”.

4.1.1 Final Promotional Examination. The final promotional examination shall be scored on a scale of 100 points, with points assigned to each of the components of such examination process set forth below as follows:

<b><u>Examinations</u></b>	<b><u>Points</u></b>
Written Examination:	20
Oral Examination:	30
Command/Supervisor Evaluation:	40
Seniority:	10 *

\* 1 point per year for each full year of service as an Officer on the Police Department of the Village, up to a maximum of ten (10) points

4.1.2 Credit for Military or Naval Service. Any Officer who is a candidate for promotion and who is otherwise qualified and has timely requested credit for prior military or naval service shall be granted veterans preference points as prescribed in Sections 10-2.1-11 and 10-2.1-12 of the Act.

#### **SECTION 4.2 – TOTAL SCORE.**

A candidate's total score shall consist of the combined scores of the written examination, the oral examination, the command/supervisor evaluation, and seniority, plus any veteran's preference points as prescribed in Sections 10-2.1-11 and 10-2.1-12 of the Act, if any. Any candidate shall take rank upon a Promotional Eligibility Register in the order of his or her relative excellence as determined by his or her total score. In the event of a tie score, the placement of any tied candidates' names on any such Promotional Eligibility Register shall be determined by lot, in the presence of a quorum of the Board, in whatever manner the Board deems appropriate.

#### **SECTION 4.3 – PROMOTIONAL VACANCY.**

Upon notice from the Corporate Authorities that a promotional vacancy exists, the Chief of Police shall select the candidate to be promoted from among the three (3) candidates having the highest rating on the Promotional Eligibility Register.

### **ARTICLE V – SUSPENSIONS, DISCHARGES AND HEARINGS**

#### **SECTION 5.1 – PROBATIONARY OFFICERS.**

No officer of the Police Department who has not completed his or her probationary period shall have any right under the Act or these Rules to any appeal, hearing or other review in connection with any disciplinary action, including any suspension or any discharge, and any such Officer may be suspended, discharged or laid off at the sole discretion of the Village.

#### **SECTION 5.2 – SUSPENSIONS OF NOT MORE THAN FIVE (5) DAYS.**

The Chief of Police shall have the right to suspend without pay any Officer of the Police Department for a period of not more than five (5) days, provided that no charges on the same offense have been filed and are pending before the Board. The Chief of Police shall notify the Board in writing within twenty-four (24) hours of the time of any such suspension. Any Officer of the Police Department so suspended may appeal to the Board for a review of the suspension within five (5) calendar days after receiving notice of such suspension by filing notice of such appeal in writing with the Secretary of the Board. A hearing shall be had upon such appeal, and due notice given to the Chief of Police and to the Officer of the Police Department so suspended.

## **SECTION 5.3 – SUSPENSIONS OF MORE THAN FIVE (5) DAYS AND DISCHARGES.**

5.3.1 Cause. No Officer of the Police Department may be suspended for more than five (5) days (but not exceeding thirty (30) days) or be discharged except for cause, upon written charges, and after an opportunity to be heard by the Board in his or her own defense.

5.3.2 Written Charges. Any Officer of the Police Department who is subject to being suspended for more than five (5) days (but not exceeding thirty (30) days) or to being discharged shall be notified in writing of the specific charges pending against him or her. A written copy of such specific charges shall be filed with the Secretary of the Board

## **SECTION 5.4 – PRE-HEARING PROCEDURES.**

5.4.1 Preliminary Hearing. Upon the filing of any such written charges with the Secretary of the Board, the Board shall have the right to hold a preliminary hearing to determine whether probable cause exists to hold a hearing on the written charges and/or whether any Officer of the Police Department against whom any such written charges are pending should be suspended without pay pending such hearing for any period not exceeding thirty (30) days. If any such preliminary hearing is to be held by the Board for any such purpose, the Secretary of the Board shall notify all parties of the purpose and of the date, time and place of any such preliminary hearing.

5.4.2 Notice. Upon the filing of written charges with the Secretary of the Board, the Board shall set a date, time and place for a hearing on such written charges, which such date shall be within thirty (30) days of the date that any such written charges were filed. The Secretary of the Board shall notify all parties of the date, time and place of the hearing on such written charges. If an order of suspension without pay pending a hearing is entered by the Board upon a preliminary hearing, all parties shall be served with a copy of the entry of any such order of suspension pending a hearing.

5.4.3 Continuances. The matter of granting or refusing to grant any continuance in connection with any hearing on any such written charges shall be within the discretion of the Board. No such continuance which extends beyond the thirty (30) day limit of the filing of written charges shall be granted unless any such continuance is at the request of the Officer of the Police Department against whom such written charges are pending or unless such Officer is a joint party to any request for a continuance and both such Officer and the Village waive any defect that may be caused by the delay. In the event an order of suspension pending a hearing has been entered by the Board and any Officer of the Police Department against who such written charges are pending requests a continuance, it shall be a condition of the granting of any such continuance that if any such Office is retained in his or her position as a result of the decision of the board upon hearing, then no compensation shall be paid to such member during the period of any such continuance.

5.4.4 Motions. Any motions in connection with or any objections to the form of sufficiency of any written charges shall be filed with the Secretary of the Board in writing

at least three (3) calendar days prior to the date set for any such hearing on the written charges.

5.4.5 Subpoenas. Any party to a hearing may, at any time before any such hearing, make a written request for the Board to issue its subpoena to secure the attendance and testimony of any witness and the production of books, papers, records, accounts and other documents relevant to such hearing. Any such request for a subpoena shall contain the name and address of any witness to be subpoenaed, including, if applicable, the identity of any books, papers, records, accounts and other documents which such witness is to produce. Any subpoena issued by the Board under the provisions of the Act or these Rules shall be served in the same manner as a subpoena issued out of court. The cost of service and the fee, if any, of any witness shall be borne by the party at whose request the witness or documents are summoned. No subpoena shall be issued for any witness residing or documents located outside the State of Illinois.

## **SECTION 5.5 – APPEALS AND HEARINGS.**

5.5.1 Standard of Proof. The standard of proof prevailing in any appeal or hearing before the Board is a preponderance of the evidence even if any written charge before the Board involves conduct that is or may be criminal in nature.

5.5.2 Burden of Proof. Any Officer of the Police Department appealing any suspension of not more than five (5) days by the Chief of Police shall have the burden of proof to establish that any such suspension is not warranted or justified. When any written charges are filed with the Board, the Village shall have the burden of proof to establish that cause exists for the discipline sought to be imposed.

5.5.3 Representation. Both parties may be represented by an attorney. In addition, any Officer of the Police Department who is in a collective bargaining unit may elect to have such other or additional representation as may be provided or allowed by law or the applicable provisions of any collective bargaining agreement.

5.5.4 Administer Oaths and Affirmations. Each member of the Board shall have the power to administer oaths and affirmations. Any testimony given in connection with any appeal or hearing before the Board shall be under oath or affirmation.

5.5.5 Transcript of Proceedings. All proceedings in connection with any appeal or hearing before the Board by a court reporter to be employed by the Board. The transcript of any such proceedings will not be transcribed by the court reporter except in the event that either the Board or any party requests and pays for any such transcription.

5.5.6 Order of Proceedings. The party having the burden of proof shall first present relevant testimony or other evidence in support of such party's burden of proof. Thereafter, the other party shall present any relevant testimony or other evidence in support of such other party's position in the matter. Both parties shall have the right to cross-examine any witness of the other party.

5.5.7 Stipulations. Both parties may stipulate and agree in writing or on the record as to any testimony or any other fact. Any testimony or any fact so stipulated shall be considered as evidence in any such appeal or hearing proceeding before the Board.

## **SECTION 5.6 – DECISION, FINDINGS AND ORDER.**

5.6.1 Appeals of Suspensions of Not More Than Five (5) Days. Upon any appeal by any Officer of the Police Department of any suspension of not more than five (5) days by the Chief of Police, the Board may sustain the action of the Chief of Police, may reverse such action with instructions that such Officer so suspended receive his or her pay for the period involved, may suspend any such Officer for an additional period of not more than thirty (30) days or may discharge any such Officer.

5.6.2 Hearings Upon Written Charges. Upon any finding of guilty in connection with any hearing upon any written charges filed with the Secretary of the Board against any Officer of the Police Department, the Board may suspend any such Officer for any period no to exceed thirty (30) days without pay or may discharge such Officer.

5.6.3 Written Decision; Service. Any such decision of the Board shall be reduced to writing and include specific findings of fact. Any such written decision shall be served upon both parties and each of their attorneys, if any.

5.6.4 Discharges; Effective Date. In the event any decision of the Board involves an order of discharge, such order of discharge shall become effective forthwith.

5.6.5 No Rehearing, Etc. No rehearing, reconsideration, modification, vacation or alteration of any decision of the Board in connection with any appeal or hearing upon written charges is permitted under the Act or these Rules. However, the Board reserves the right to issue an amended decision for the purpose of modifying any such decision to correct any glaring clerical error.

## **SECTION 5.7 – FORMS AND MANNER OF FILINGS AND SERVICE.**

5.7.1 Filing of Papers. All papers filed in any proceeding involving g any appeal or hearing before the Board shall be typewritten or printed and shall be on one side of the paper only. Typewritten or printed lines shall be double-spaced, except that long quotations may be single spaced and indented. All papers shall be not larger than 8 ½” by 11”, with inside margins of not less than 1 inch. The original of any such papers filed shall be signed in ink by the party filing such paper or by an officer, agent or attorney thereof, with a copy thereof provided the other party and any attorney thereof. If papers are filed by an attorney for such party, such papers shall include the name, address, telephone and telefax numbers of any such attorney.

5.7.2 Service on Parties. Except as otherwise specifically provided in these Rules, all papers required by these Rules to be served upon any party shall be delivered personally to such party or mailed by first-class mail in an envelope properly addressed with postage prepaid to such party at the last known address of any such party. Proof of service of any paper may be made by the certification of any person delivering the same

to the designated party personally or mailing the same in the manner required by this Section.

5.7.3 Service on Board. All papers may be filed with the Board by delivering them personally to the Secretary of the Board or by mailing them to the Secretary of the Board by first-class mail in an envelope properly addressed with postage prepaid. For the purpose of these Rules, the filing date of any paper shall be the date it was received in the office of the Secretary of the Board, in the event such papers are delivered personally or by messenger. In the event a paper is sent by mail as required by this Section, then the filing date shall be the date which is postmarked on the envelope of such papers.

## **ARTICLE VI – GENERAL**

### **SECTION 6.1 – OTHER POWERS.**

The Board shall have such other powers and duties as may, from time to time, be provided by the Act, by any other laws of the State of Illinois or by any Supplementing and Amending Authority.

### **SECTION 6.2 – CONFLICTS.**

Any Article, Section and/or Subsection of these Rules for the operation of the Board that is in conflict with the Act, including as supplemented and amended by any Supplementing and Amending Authority, as now or hereafter be enacted, shall be null and void.



## **PUBLIC NOTICE**

Public notice is hereby given to all persons concerned that on October 21, 2020, the Board of Fire and Police Commissioners of the Village of Rantoul, Illinois, voted to amend its Rules and Regulations. Printed copies of the Rules and Regulations, as amended, may be obtained from the Rantoul Police Department, 109 East Grove Avenue, Rantoul, Illinois. The rules shall be operable as of November 3, 2020, or 10 days from the date of publication of this notice, whichever date is later.