

Rules of the Board of the Fire and Police Commissioners



**City of
Danville, Illinois**

January 17, 2017

**RULES OF THE BOARD OF FIRE AND POLICE COMMISSIONERS
Of The
CITY OF DANVILLE, ILLINOIS**

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TO THE
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**RULES OF THE BOARD OF FIRE AND POLICE COMMISSIONERS
OF THE CITY OF DANVILLE, ILLINOIS**

SECTION A - MEETINGS AND PROCEDURES

- A.1 The Board of Fire and Police Commissioners of the City of Danville, Illinois, has the general authority under law of making original appointments to the Fire and Police Departments/Divisions of said City, making appointments for promotion, and exercising disciplinary authority over personnel within said Departments/Divisions.
- A.2 The Board consists of five (5) members appointed by the Mayor with the consent of the City Council. These members serve three (3) year terms. The members may be reappointed. Also, the Board of Fire and Police Commissioners shall hold regular meetings once a month, at 5:00 p.m. on the first Tuesday of each month, at Danville City Hall, except that such meeting time, date and/or place of meeting may be changed by majority vote of the Board.
- A.3 Special meetings shall be held on call of the Chairman or by any two members of the Board, upon not less than two (2) days notice to all members of the Board, by either mail or telephone, including in the notice a statement of the purpose of such special meetings, but the other members may waive such notice. Any member or members calling a special meeting shall also give not less than two (2) days' notice by mail, telephone, or email, to any news media entitled to notice. Only those matters specified in the notice of a special meeting shall be considered at the special meeting.
- A.4 The Chairman of the Board shall preside at all meetings, provided, if the Chairman is not present the other members may select one (1) of themselves to preside at such meeting. Three (3) members of the Board shall constitute a quorum. Actions of the Board shall require a concurrence of majority of the members present, except that no appointment or promotion shall be made without the concurrence of at least three (3) members present. If no quorum is present one (1) member of the Board may adjourn the meeting or continue the same to a different time or place.
- A.5 All meetings of the Board shall be open to the public and to the press, but the Board may go into closed session to discuss personnel problems and such matters as are permitted by the laws of the State of Illinois to be discussed in closed session. However, all official action shall be taken by vote of the members of the Board in open session. All persons addressing the Board must identify themselves.
- A.6 News media shall be notified by the Human Resources Administrator of the schedule of regular meetings, and shall be given notice of special meetings by the person calling the same.
- A.8 The Board shall have authority as follows in the selection of Officers of the Board:
 - A. At its regular meeting in December of each year, the Board shall elect one of its Members to be Chairman. The Chairman shall preside at all meetings of the Board and shall perform such other duties as the Board prescribes by resolution.
 - B. The Board may employ a secretary, or may elect one of its members to act in that capacity. The secretary shall keep the minutes of the Board's proceedings, and the

Human Resources Administrator shall be custodian of all papers and records pertaining to Board business, and perform such other duties as the Board prescribes by resolution. If the Board employs a Secretary of the Board that individual shall be paid a reasonable compensation for his/her services as fixed by the City Council.

- C. The Board may establish any other office of the Board and may elect one of its Members to act in the capacity and may determine and prescribe the duties of that office by resolution.

SECTION B - APPOINTMENTS TO FIRE AND POLICE DEPARTMENTS/ DIVISIONS

- B.1 As prescribed by City Ordinance, the Board shall appoint all members of the Fire and Police Departments/ Divisions of the City, except the Chief of the Fire Department/ Division, and the Chief/Presiding Officer of the Police Department/Division, who shall be appointed by the Mayor with the consent of the City Council.
- B.2 All appointments by the Board to the Fire or Police Department/Division, other than that of the lowest rank, shall be from the rank next below that to which the appointment is made, and a certificate of appointment signed by the Chairman and Secretary of the Board shall be issued to each person so appointed. A copy of the certificate will be maintained in the individual's personnel file
- B.3 Each full time member of the Fire and Police Departments/Divisions appointed in accordance with the Rules of the Board and applicable City ordinances shall be an officer of the City.
- B.4 It is hereby declared that the Board agrees to and will adhere with the policy of the City of Danville that no person shall be denied employment or promotion in the Fire and Police Departments/Divisions of the City on account of race, sex, color, religion or any other suspect group recognized by applicable law. Further, the Board shall enforce this policy through fair and equitable administration of the procedures and examination standards hereinafter set forth.

SECTION C - ELIGIBILITY FOR APPOINTMENT

- C.1 The Board may require, to be submitted with the application, proof of citizenship, age and educational level sufficient to show the applicant has met the requirements for appointment as stated herein.
- C.3 The Human Resources Administrator shall give notice of the time and place of every written examination for original appointment by mailing a notice to each applicant whether qualified or not.
- C.4 Any person seeking to apply for appointment to the Fire or Police Department/ Division shall be at least 20 years of age before applying. However, the candidate must be 21 years of age and under the age of 35 years at the time of appointment, be a citizen of the United States, and possess a high school diploma or an equivalent high school education, plus thirty (30) college credit hours. The maximum age limitation hereunder shall not apply to any person who is under the age of 40 and can demonstrate one of the following: is employed at the time of application as a full-time Firefighter or Police Officer in a Fire Department or Police Department of any municipality of the State of Illinois; or has been

currently serving as an auxiliary Police Officer or volunteer Firefighter in a Police Department or Fire Department of any municipality of the State of Illinois for the five (5) years prior to application.

C.5 Agility Test

- A. Type. Each applicant shall take a pass/fail agility test under the supervision of an independent agency selected and monitored by the Board, or a representative of the Board. The test shall reasonably and fairly measure the ability of the applicant to pass similar tests required as a part of a subsequent training as conducted by the Police Training and Fire Training Institutes used by Danville Police and Fire Departments/Divisions for the training of Probationary Firefighters and Probationary Police Officers. The agility test shall be designed to test strength and agility to the extent expected of said Firefighters and Police Officers. Any applicant who fails to achieve a "pass" grade on the agility test shall be deemed ineligible for appointment and will be dropped from further testing.

1. Police

The standards included in this test have been developed from "Physical Fitness Training Standards" as published by the Illinois Local Government Law Enforcement Officers Training Board. The required performance to pass each test is based upon age and sex.

Each applicant will receive a copy of the physical agility test requirements at least 15 days prior to the test. This document will include: how physical fitness is measured, how to prepare for the agility test and the performance requirements power chart.

- a. Agility test will consist of the following elements:

- Sit and Reach Test
- One minute step-up test
- One repetition maximum bench press
- 1.5 mile run

- b. The applicant must pass each test and if necessary will be allowed two tries for each element with a reasonable time period between each try. The Agility Test is Pass/Fail, and failure to pass any element after a second try is failure of the agility test.

2. Fire

- a. The standards included in this test have been developed based on 65 ILCS 5/10-1-7.2 (f), as may be amended from time to time. The test is designed to ensure that the candidates are able to perform the essential functions of the firefighter's job-muscular strength tasks under anaerobic and aerobic conditions; the ability to climb ladders and operate from heights.

Tests administered under this section will be conducted with a reasonable number of proctors and monitors.

- b. The Timed Physical Agility test will consist of the following elements:

- Stair climb
- Hose hoist
- Equipment carry
- Forcible entry
- Hose advance
- Victim rescue

- c. Candidates participating in the City of Danville Probationary Firefight Physical Agility Test will participate in a ladder climb exercise that conforms to 65 ILCS 5/10-1-7.2, as may be amended from time to time. This ladder exercise is not part of the Timed Physical Agility Test; however, you must pass both parts – Timed Physical Agility Test and Ladder Climb. Failure of any task will disqualify a candidate.

B. Medical Clearance To Take Agility Test.

Prior to taking the agility test, each applicant is to be advised that it is their responsibility to receive at their own cost, medical clearance from a licensed medical doctor certifying that the applicant is medically fit to take the agility test. A written copy of the proposed agility test elements shall be made available to the applicant in order that their doctor may review the proposed test before making such certification. Applicants who do not obtain such medical certificate, no matter what the reason, will not be allowed to take the agility test.

- C. Agility test credit will be given to candidates who have taken a Candidate Physical Ability Test (CPAT) within the preceding 12 months and possess an up-to-date CPAT card.

C.6 Written Examination

- A. Type. Each applicant who has passed the agility test shall be qualified to take a written examination as established by the Board. The examination shall be practical in character and relate to those matters which fairly test the general aptitude of the person examined and his or her capacity to discharge the duties of the position to which appointment is sought. The City of Danville shall, at least 30 days prior to the scheduled written examination, supply each applicant, whether Police or Fire, qualified to take the written examination with a Study Guide as prepared by the same organization from which the written examinations are obtained. It shall be the responsibility of the applicant to return the Study Guide.

B. Passing Grade.

1. Each candidate who takes the written test shall receive a letter from the Board or its duly authorized agent, whether they pass or fail, stating the passing score and the score they achieved. Also, the letter will state the next step in the process to include date, time, and location.
2. Police
Any applicant who achieves a grade of sixty-six (66) percent or higher for the Probationary_Police Examination shall be deemed to be eligible to continue with the examination process, unless the Board, pursuant to a resolution adopted prior to the

date of the written examination, determines that a lower score shall be the minimum passing grade on such written examination.

3. Fire

Any applicant who achieves a grade of seventy (70) percent or higher for the Probationary Fire Examination shall be deemed to be eligible to continue with the examination process, unless the Board, pursuant to a resolution adopted prior to the date of the written examination, determines that a lower score shall be the minimum passing grade on such written examination.

C.7 Oral Examination.

- A. Each applicant who has passed the agility test and written examination shall appear before the Board, in closed session, to be questioned orally as to matters which will fairly and reasonably test the applicant's capacity to discharge the duties of the position to which appointment is sought. The head of the appropriate Police or Fire Department/Division may be present at such interview. In judging the qualifications of the applicant pursuant to the oral interview, the Board shall consider the following, in addition to other factors by way of example: initiative; ability to communicate verbally in view of the educational background of the applicant; ability to handle responsibility; ability to work harmoniously with others, including persons of different racial, cultural, ethnic, and language backgrounds; mental capacity to learn by study and experience; desire to help others in need; emotional maturity; maturity of judgment; objectivity in stressful situations; ability to endure physical and verbal abuse; and personal integrity.
- B. The score arrived at for each applicant shall be combined with the applicant's written examination score in placing the applicant on the eligibility list. However, the Board shall not set a passing score less than sixty-six (66) percent.

- C.8 Eligibility Lists. Each qualified Candidate who has passed the physical agility test, written examination, and the oral examination, shall be placed on a list of persons certified by the Board to be eligible for appointment to the Fire or Police Department/Division (Eligibility List), respectively, as an entry level candidate. Those persons shall be placed upon the eligibility list as candidates for appointment in the order determined by the combined scores of the written and oral examinations, subject to adjustment for preference points as hereinafter provided, in accordance with these rules. In the event of tied scores, the Board, at a regular or called special meeting shall determine final candidate ranking by lot. The eligibility list once approved by the board shall continue in effect for a period of two (2) years from the date of approval.

C.9 Preference Points.

To qualify for preference points, the eligible candidate shall make a written request on forms provided by the Human Resource Office in the original application packet. As it pertains to Probationary Firefighter candidates the final additional requirement for preference points calls for the Board to award them in accordance with the applicable State Statute.

The preference points can only be used when computing the initial eligibility list.

A. Military Preference.

1. Police

The military preference points for the Police Division shall only be used for the initial eligibility list and not for promotion. Therefore, any Probationary Police candidate who provides proof of military active-duty service of the United States for a period of at least one (1) year, and who was honorably discharged therefrom, shall be allowed military preference points towards his or her final score at the rate of seven-tenths (7/10ths) of a point for each six (6) months or part thereof applicable military service, not exceeding 3.5 preference points.

Proof of active-duty military service will be accomplished by reviewing the candidates Military Service Record.

2. Fire

The Board has the authority to prescribe the amount of points to the preference categories, except for veterans' points. Proof of active-duty military service will be accomplished by reviewing the candidates Military Service Record.

A. Veteran

Any Probationary Firefighter candidate who provides proof of military active-duty service of the United States for a period of at least one (1) year, and who was honorably discharged, shall be allowed military preference points towards their final score. In the case of veteran candidates, the Board must award five (5) preference points and may not allow a non-veteran to pass a veteran on the final eligibility list based solely on the application of experience preference points.

B. Firefighter/Paramedic

Any candidate for appointment to the Fire Department/Division who provides proof of having served as a paid on-call certified Firefighter II or Paramedic for at least 2 years at the time of examination shall be allowed one-half (1/2) of a point for each full year of successful service in one or more of those capacities, not exceeding five (5.0) preference points.

C.10 Background Investigation.

- A. Personal History Statement. Each applicant who has passed the physical agility test and taken the written examination shall provide a detailed personal history statement on forms approved by the Board.
- B. Fingerprints. Each applicant shall be required by the Board to have their fingerprints taken on the date of the written examination and coordinated with the Police Department/Division. Said fingerprint records will be used in the background investigation conducted by the Danville Police Department /Division and/or Personnel Department Human Resources Division.
- C. Investigation. Each applicant who has passed the physical agility test and written examination will be subject to a background investigation as directed by the Board.

C.11 Appointment to the Fire or Police Department

A. Appointment.

1. Police

In the event that an entry level vacancy occurs in the Police Department/Division which the City desires to fill, the Mayor shall notify the Board in writing. The Board shall consider and select for appointment a person who is then among the highest twenty (20) persons on the eligibility list to fill the vacancy. In making its appointment, the Board may consider the following factors, together with other positive attributes of the persons on the eligibility list: the needs of the community; the needs of the department and the recommendations, if any, of the Director or Chief of such Department/Division. The Board need not consider the relative position of a person on the eligibility list in making such appointment, provided that no person who is then not among the highest twenty (20) on the eligibility list shall be appointed. In the event that any person is appointed to an entry level vacancy, all persons below his/her position on the eligibility list shall be advanced one place on the list.

To aid in the selection process the Board may request that the detectives conducting the background investigation(s) appear before the Board to substantiate and address any concerns the commissioners may have regarding their findings.

2. Fire

The appointing authority has the right to pass over the highest ranking applicant for a firefighter position and appoint either: (i) any person on the list who has a ranking in the top 5% of the list of eligibles or (ii) any person who is among the top 5 highest ranking persons on the list of eligibles if the number of people who have a ranking in the top 5% is less than 5 people, if the authority has reason to conclude that the highest ranking applicant fails to meet the minimum standards or if the appointing authority believes the alternate candidate would better serve the needs of the department.

- B. The Board shall notify the Mayor and appointee of any entry-level appointment. The appointee who fails to so accept the appointment shall be deemed to have declined the appointment and his or her name shall be stricken from the eligibility list.

Any entry-level appointment hereunder shall be conditional upon passing a psychological test, a physical examination, a background investigation and satisfactory completion of a probationary period as hereinafter provided. Notwithstanding any contrary provisions of these Rules, the Board shall not appoint any otherwise eligible candidate to a position in the Police Department/Division unless such candidate shall have successfully completed, prior to the date of his or her appointment, at least thirty (30) credit hours of course work in any one or more of the following preferred fields of study from accredited colleges, community colleges, or universities: communications, languages, social sciences, humanities, psychology, criminal justice, and police or fire science. In the event that any candidate who is eligible for appointment but may not be appointed to the Police Department/Division because of the lack of necessary credit hours, he or she may remain on the list for the period so designated by the Board, and may be considered for employment, as otherwise provided by these rules, from such list

at such time as he or she shall have attained the necessary credit hours and has a score which places the candidate in the top twenty (20) candidates.

- C. **Psychological Evaluation.** Prior to the appointment of any applicant by the Board to any entry-level position in the Fire or Police Department/Division, the candidate shall be tested by and interviewed by a licensed practicing psychologist, or psychiatrist designated by the Board. Copies of the candidate's personal history statement and background investigation report shall be provided to the psychologist. The psychological evaluation shall relate to those matters which would reasonably and fairly measure the capacity of the candidate to discharge the duties of the position to which he or she may be appointed. No person who fails the psychological evaluation, shall be appointed and his or her name shall be stricken from the eligibility list upon action of the Board after its receipt and consideration of the results of the psychological evaluation report.
- D. **Physical Examination.** Prior to the appointment of any person by the Board to an entry-level position in the Fire or Police Department/Division, the candidate shall submit to a thorough physical examination by a physician or physicians designated by the Board. The physical examination shall relate to those matters which would reasonably and fairly measure the capacity of the candidate to discharge the duties of the position to which he or she may be appointed.

Appendix A of these rules outlines the rules of the medical examination standards which will determine the medical fitness of the appointee. No person who fails the physical examination shall be appointed and his or her name shall be stricken from the eligibility list upon action of the Board after its receipt and consideration of the physical examination report.

E. **Probationary Status.**

1. **Police**

Every appointee to the Police Department/Division who passes his or her psychological evaluation and physical examination shall be a probationary appointee for a period of eighteen (18) months from the date he or she assumes the duties of the position appointed. The probationary period shall reasonably and fairly measure whether the appointee is capable of satisfactorily performing the duties of such position.

Each appointee to the Police Department/Division shall successfully complete a Basic Law Enforcement Officers Training course and certification examination.

2. **Fire**

Every appointee to the Fire Department/Division who passes his or her psychological evaluation and physical examination shall be a probationary appointee for a period of twelve (12) months from the date he or she assumes the duties of the position appointed. The probationary period shall reasonably and fairly measure whether the appointee is capable of satisfactorily performing the duties of such position. Each appointee to the Fire Department/Division shall be certified by the Illinois State Fire Marshal as a Firefighter II prior to the expiration of his or her probationary status.

- C.12 Prior to any examination, written or oral, the Human Resources Administrator shall furnish to any applicant for appointment to the Fire or Police Department/Division the rules governing the qualification and selection process.

SECTION D - PROMOTIONS

- D.1 All cases of vacancies within the ranks of the Fire and Police Departments/Divisions which are above the entry-level rank and which are subject to appointment by the Board shall be filled by promotion from the next lowest rank in the department.

Examinations for promotion shall be competitive among members of the next lower rank who have submitted an application for examination. The ranking on the eligibility list shall be based upon ascertained merit, seniority in service, and written and oral examinations.

Promotions shall be made by the Board upon written request in writing by the Mayor. All promotions shall be made from the three (3) persons having the highest rating, unless there are fewer than three (3) names on the promotional register. The promotional eligibility list shall continue for a period of three (3) years from the date it was approved by the Board.

- D.2 Eligibility

A. Police

No person shall be eligible to take any examination for promotion to any rank in the Police Department/Division unless at the time of promotion he or she will have completed at least four (4) years of non-probationary service in the department/division to test for Sergeant, and six (6) years of service in the department/division to test for Commander. (Revised February 6, 2018) In addition to the service requirement the Sergeant must have successfully completed sixty (60) college credit hours prior to the effective date of his or her promotion.

B. Fire

No person shall be eligible to take any examination for promotion to any rank in the Fire Department/Division unless he or she has completed at least the following periods of non-probationary service in the department at the next lowest rank:

1. For promotion to the rank of Lieutenant, at least four (4) years of non-probationary service with the division and be certified as an EMT-B/D, Advanced Firefighter or Firefighter III and FAE.;
2. For promotion to the rank of Captain, at least two (2) years of service as a Lieutenant with the division and be certified as a Fire Officer I or Provisional; and
3. For promotion to the rank of Assistant Chief, at least one (1) year of service as a Captain with the division and Fire Officer II or Provisional.
4. Anniversaries of service which affect eligibility will be considered to occur on the employee's hire date of the fiscal year in which the promotional test is administered.

- D.3 Any person seeking promotion the Fire or Police Department/Division shall file a written application with the Board. Applications shall be established by the Board and shall be available to prospective applicants through the Human Resources Division of the City.

D.4 Notifications of Exams

A. Police

The City will post notifications of oral and written examination dates at least ninety (90) calendar days prior to those examination dates. The Police Officer shall submit the application to the Director/Chief within twenty one (21) days after the notification is posted.

B. Fire

The City will post notifications of oral and written examination dates, at all Fire Stations, at least ninety (90) day calendar days prior to those examination dates.

D.6 Notice of the time and place of every written examination for promotional appointment within either the Fire or Police Department/Division shall be given by the Human Resources Administrator, by posting same on a conspicuous bulletin board at the main headquarters of said Department or Division or the City website, at least twenty-one (21) prior to the applications deadline.

D.7 Each applicant seeking promotion shall have passed his/her-last physical exam.

D.8 Written Examination. Applicants will take a written examination, which shall relate to those matters which will reasonably and fairly test the capacity of the applicant to discharge the responsibilities of the rank to which said applicant seeks promotion. The Board shall set the passing score for the written examination and shall not set a passing score of less than seventy percent (70%). Any applicant who does not pass the written examination shall be ineligible to take the oral interview and shall not be placed on the eligibility list.

D.9 Oral Interview. Those applicants passing the written examination will then be invited to an oral interview with the Board. Said oral interview will relate to those matters which will reasonably and fairly test the capacity of said applicant examined to discharge the responsibilities of the rank to which said applicant seeks promotion. In grading the applicant the Board will also review efficiency ratings, and reports and recommendations from the applicant's superior officers in the Department.
The passing score will be seventy percent (70%). The Director or Chief of the Department or Division may, at the discretion of the Board, attend the oral interview and may participate under such guidelines as may be set by the Board. The Board has sole authority to grade the applicant. Any applicant who fails to achieve the passing score on the oral interview shall be deemed to be ineligible for appointment.

D.10 Eligibility List for Promotion. Applicants receiving passing scores shall be placed on the eligibility list for promotion according to the rank order of their respective score based on the average of the applicant's written and oral scores.

D.11 Upon expiration of a promotion eligibility list, a new list shall be established at such time as the Board, in its discretion, deems appropriate. No appointment shall be made from a more recent eligibility list until any prior eligibility list for promotion to such grade within such Department has been exhausted, by the promotion of all persons thereon, or by their retirement or refusal to accept, or by the lapse of a three (3) year period.

D.12 Any person on a promotion eligibility list may, for any reason, refuse to accept promotion one (1) time, but if the person shall refuse promotion twice, the Board will strike his or her name from the eligibility list.

- D.13 Prior to any examination, written or oral, for promotion within the Fire or Police Departments, the Board shall furnish the rules governing the promotion process.

SECTION E –DEMOTIONS

- E.1 **Voluntary Demotions.** A Police Officer or Firefighter, with the consent of the Public Safety Director, may petition the Board to voluntarily resign his or her current position and revert back to his or her former rank.

SECTION F – LATERAL TRANSFERS

- F.1 The Board shall establish and maintain a separate list of experienced police officers and firefighters on a Lateral Transfer Eligibility List.
1. For the purpose of this section, “Experienced Police Officer” means any officer with two or more years of continuous full-time employment in civilian law enforcement in Illinois or three years of full-time continuous experience in civilian law enforcement outside of Illinois. Such experience must have been in the last two years.
 2. The police officer must have been certified by the Illinois Police Training Board as a certified police officer or must have the equivalent certification from another state that would be transferable to Illinois.
 3. For out of state police applicants, the officer must have completed at least a six month probationary training period that provided the officer the basic law enforcement training. The officer must be in good standing with his or her current department or left their previous position in good standing.

SECTION G - CHARGES AND DISCIPLINARY PROCEEDINGS

- G.1 With respect to suspension or discharge of any member of the Fire or Police Department, the provisions of Section 10-2.1-17 of Chapter 65 of Illinois Revised Statutes, as in effect from time to time on or after the effective date of these rules, shall control.
- G.2 All charges against members of either Department shall be presented to the Board in writing and sworn to by the person making such charges. Charges need not be in any particular form, but shall describe the alleged offense or misconduct of the person charged with sufficient particularity to enable him to prepare his or her defense.
- G.3 A person filing charges against any member of either Department may file same with any member of the Board. The Board may proceed to conduct a hearing on the charges, or may refer said matter to the Chief of the Department for investigation and/or disposition. Upon said referral, the Chief shall report to the Board the results of his investigation or disposition.
- G.4 When charges are filed and a hearing is to be conducted by the Board, the Board shall notify the complainant and the person charged of the time and place of hearing, which time shall be at least ten (10) days, but not more than thirty (30) days, after notice is given to the person charged, unless otherwise extended for good cause shown. The Board shall also give the person charged a copy of the charges against him or her. The person charged

shall file an answer to said charges with the Board not less than five (5) days before the date of the hearing.

- G.5 The Public Safety Director shall have the power to temporarily suspend, for a period not exceeding five (5) days, any officer or member of their respective departments for violation of any laws of the United States, or any state thereof, ordinances of the City of Danville, or any political subdivision of any state, or any rules or regulations of the respective Departments or of the Board.
- G.6 The Board shall have power to temporarily suspend any officer or member of the Fire or Police Department/ Division against whom a charge has been filed, until final disposition of the charge by the Board.
- G.7 In the conduct of such investigation, each member of the Board shall have power to administer oaths and affirmations, and the Board shall have power to secure, by its subpoena both the attendance of and testimony of the witnesses, and the production of books and papers, and any physical evidence relevant to such investigation.
- G.8 All testimonial evidence shall be under oath or affirmation, and all evidence and proofs shall conform to the issues made as aforesaid. The person accused may be heard in person or by counsel, with the privileges of examination and cross-examination conducted with proper decorum. The Board may continue such hearing for any good cause shown, provided such continuance shall not be made for a period longer than is reasonably necessary.
- G.9 If any person against whom charges have been filed shall fail to answer the charges or to appear at the hearing before the Board, the Board may hear such evidence as may be produced, or as it shall deem proper or necessary, and make a finding according to the evidence.
- G.10 The Board, after hearing of evidence and completion of testimony, may immediately announce its decision in the case or defer same until a date fixed by the Board, not to exceed thirty (30) days.
- G.11 If, at the hearing, there has not been proven, by a preponderance of the evidence, that the person charged has violated any laws of the United States, or any state thereof, ordinances of the City of Danville or any municipal subdivision of any state, or any rule or regulation of the Board or of the Department, then the charges against him/her shall be dismissed by the Board. If, however, a preponderance of the evidence presented at the hearing shows that said person accused has violated a law of the United States, or any state thereof, an ordinance of the City of Danville or any municipal subdivision of any state, or rule or regulations of the Board or of the Department, the Board shall have the authority to discharge said person, or to suspend said person for a period not exceeding thirty (30) days without pay.
- G.12 No officer or member of either the Fire or Police Department/Division shall receive any pay for any time he or she is under suspension, unless by order of the Board duly entered upon the minutes, and it shall be the duty of the Secretary to notify the City Comptroller,

within a reasonable time, of all orders, sentences or judgements of the Board affecting the salary of any officer or member.

- G.13 All hearing on charges shall be conducted in formal session open to the public and news media, but the Board may go into closed session to consider its decision.

SECTION H - SAVINGS CLAUSE

- H.1 The provisions of these rules shall remain valid and in effect unless superseded by higher authority or authorizing amendment.

SECTION I - ADOPTION, AMENDMENTS and EFFECTIVE DATE

- I.2 These rules and any amendments are available for distribution in the Office of the City Clerk, and/or Human Resources Office of the City of Danville, Illinois. The effective date of the Rules is January 17, 2017.

APPENDIX A
TO THE
RULES OF THE BOARD OF FIRE AND POLICE COMMISSIONERS

Medical Standards for the Appointment of Fire and Police Applicants

SECTION 1 - MEDICAL FITNESS; Requirements for Examination

The following standards identify the professional levels of medical fitness required for service as a Police Officer or Firefighter for the City of Danville, Illinois.

The first part of the entrance physical examination consists of comprehensive health inquiry which is answered by the applicant.

No physical examination of an applicant will be performed until such a time as the examining physician has reviewed the medical history as given by the applicant.

If the applicant receives any type of disability pension, military or otherwise, the physician shall inquire as to the reason the pension was granted.

As determined from the applicant's medical history questionnaire, if any of the following conditions are present, the examining physician shall require consultation with the appropriate medical specialist to clarify any doubts or questions regarding the applicant's current abilities to perform the duties of a Police Officer or Firefighter, or if such conditions would endanger the health and safety of a Police Officer or Firefighter or the public, the physician shall request the applicant, at the applicant's cost, to apply to a physician in that specialty and obtain a detailed report.

- (1) Chronic alcoholism
- (2) Drug addiction
- (3) Convulsive disorders such as (epilepsy)
- (4) Disturbances of consciousness without satisfactory explanation or cause. If an applicant states that he or she has had periods of blackouts or passing out, a sound and correctable cause must be found or this would preclude the applicant from employment with the Police and/or Fire Departments.
- (5) A history of myocardial infarction.
- (6) Cardiac angina or some other evidence of coronary artery diseases.
- (7) Diabetes requiring insulin or oral hypoglycemic. The diabetic whose condition is effectively controlled by diet alone would be eligible for employment.
- (8) Any applicant who is currently undergoing continuous or frequent treatment with the following drugs are ineligible for employment: antihistamines, narcotics, barbiturates, mood altering drugs, tranquilizers, motion sickness drugs, cardiac drugs, or anti-hypertensive or anorexic drugs. Applicants with confirmed history of cardiac arrhythmias must be required to seek and evaluation by a competent cardiologist and said evaluation must be presented to the examining physician to see whether or not any serious impairment exists which might preclude employment as a Police Officer or Firefighter.

- (9) Applicants with history of chronic bowel disorders such as Crohn's disease shall be excluded from employment.
- (10) Any history of high blood pressure must be carefully evaluated and previous records of treatment must be obtained and examined by the examining physician in order to evaluate the status of the hypertension. If the examining physician feels that there is any contraindication to employment because of hypertension, the applicant shall be disqualified. Any medical findings of heart disease should have stress treadmill if this presents no risk to applicant.
- (11) Any applicant with history of active gastric ulcers or duodenal ulcers within a year proceeding the date of examination shall be disqualified unless the applicant is able to provide x-ray evidence that the ulcer is currently healed. An applicant with a history of bowel obstruction within the preceding five years shall be disqualified unless the applicant is able to obtain a letter from the treating physician to the examining physician explaining the nature of the obstruction and what was done to relieve it.
- (12) If there is a history of kidney stones, urological consultation must be sought in order to provide an estimate of the likelihood of the recurrence of suddenly incapacitating symptoms. Any applicant exhibiting a high likelihood of recurrence may be disqualified.
- (13) Any applicant with a history of glucosuria or albuminuria must obtain a report from the physician that treated the applicant to assure the absence of diabetes mellitus which might require insulin or all hypoglycemics, and in the case of urinary tract disease whether or not the urinary tract has any significant abnormalities at this time or whether any organic disease is present secondary perhaps to rheumatic fever or other disorders affecting the kidneys adversely.
- (14) Any applicant with a history of severe allergic reaction to insect bites or other conditions must be disqualified. If the applicant has a history of motion sickness, the examining physician shall disqualify the applicant if in his opinion, the condition precludes the applicant from riding on a fire truck or driving in a police car.
- (15) Any other conditions which could suddenly incapacitate the Police Officer or Firefighter must be investigated by the examining physician to determine if they continue to exist, and if they do, the applicant shall be disqualified.
If the examining physician feels that consultation with the appropriate medical specialist is needed to clarify any doubts or questions, the examining physician shall request that the applicant apply to a physician in that specialty and obtain a detailed report to determine whether or not continued eligibility for employment exists.

SECTION 2 - EXAMINATION STANDARDS;

Physical Examination

After the examining physician determines that the applicant's medical history is satisfactory, in accordance with the above guidelines, the physician shall conduct a general physical examination of the applicant. In addition to a general physical examination, the physician shall perform at least the following tests:

- (1) Visual testing by Snellen Chart.
- (2) Pulmonary function test.
- (3) Chest x-ray (posterior-anterior and lateral views).
- (4) Lumbosacral spine x-rays (anterior-posterior, lateral, and oblique views).
- (5) Twelve (12) lead E.C.G.
- (6) Urinalysis
- (7) V.D.R.L. Test
- (8) Audiometric test
- (9) "Profile 4" tests, from which liver, kidney, blood, and metabolic tests may be detected.

SECTION 3 - EXAMINATION STANDARDS; Rejection of Applicant

As determined by the physician's examination of the applicant, the following conditions will result in rejection of the applicant if such condition(s) affect the applicant's current ability to function as a Police Officer or Firefighter or if said condition(s) would endanger the health or the safety of any Firefighter or Police Officers or the public. The applicant will also be disqualified if from the physician's examination, the physician concludes that the applicant's condition(s) will in the foreseeable future prevent the applicant from performing the duties of a Police Officer or Firefighter or if such condition(s) would endanger a Firefighter or Police Officer or the public.

- (1) Head, face, neck, and scalp. Any fistula of the neck either congenital or acquired including tracheostomy.

Any loss of bony substance involving the cranial vault.

Any deformity of the face or head which would interfere with the wearing of a self contained breathing apparatus for Firefighters or gas mask for a Police Officer or Firefighter.
- (2) Nose. Any evidence of sever allergic rhinitis which requires constant medication to suppress it. Any malformations of the nose which would prevent nasal respiration.
- (3) Sinuses. Any chronic infection which is confirmed by x-ray, or any tumor of the sinuses.
- (4) Mouth and throat. Any extensive adhesion of the soft palate to the pharynx, any malformations or condition, including stuttering, which would impair voice radio communications.

- (5) Ears. Any acute or chronic disease which would disturb equilibrium. Mastoid fistulas, mastoiditis either acute or chronic; otitis media, serous, or suppurative. Any condition of the outer ear which would progress to impair hearing or become incapacitating.
- (6) Eardrums. Any perforation of the eardrum associated with active infection or sever retraction of the eardrum.
- (7) Eyes. Any acute or chronic pathological condition in either eye or the adnexa of the eye which would interfere with proper function or may progress to that degree or may be aggravated by the duties of a Police Officer or Firefighter. Nystagmus of the eye. Strabismus uncorrected. Ptosis or exophthalmos. Glaucoma. Aphakia whether it is unilateral or bilateral.
- (8) Ophthalmoscopic examination. Chorioretinitis which is active or likely to recur. Cataract. Any retinal exudate, hemorrhage or edema, detachment of the retina. Inflammatory disease of the retina, the globe, or the other structures within the globe. Retinitis pigmentosa. Any papilledema or tumor. If the natural lenses on one side or both sides are missing regardless of the correction, further information should be sought with an ophthalmologist to see whether this person would be qualified for duties as a Police Officer or Firefighter.
- (9) Eyes - Pupils. Any synechiae anterior or posterior. Non-reactive pupils until the cause could be determined. Inequality of pupils would also be disqualified unless the cause is determined or explained.
- (10) Paralysis of eyes or ocular mobility in any direction. Absence of conjugate alignment of the eyes in any quadrant. Eyes which are unable to converge on a near object.
- (11) Lungs and Chest. Bronchiectasis if more than very mild. Emphysema if symptomatic. Fibrosis, if it interferes with pulmonary function. Any fistula or evidence of lobectomy or thyrocardomy is disqualifying unless satisfactory pulmonary function studies are obtained. Pleurisy with effusion or empyema. Any pneumothorax which is spontaneous, is disqualifying unless the examining physician determines that the condition is not likely to persist or recur. Tuberculosis in an active form. If the applicant has an evidence or history of TB, sarcoidosis or congenital cystic disease of the lung, active histoplasmosis or any other lung pathology, it must be proven that the condition is now stable, and unlikely to recur. Tumors or cysts of the lung, pleura mediastinal or breast. Asthma, if it can be suddenly incapacitating or requires constant medication.
- (12) Heart. Angina pectoris or any evidence of coronary heart disease. Hypertrophy or dilatation of the heart as evidence by x-ray examination. Congenital heart disease of sufficient severity to limit the applicant's function. Pericarditis, endocarditis or myocarditis until proven healed. In cases of vascular heart disease, consultation with a cardiologist is required and limitations or functions must be described.
Arrhythmias must be evaluated by a cardiologist and if determined to be functional, the person may be accepted. An electrocardiogram must be done on each applicant and any major arrhythmias or conditions would be reason for rejection. The major reasons would consist of conduction and defects such as

complete heart block, left bundle-branch block or right bundle-branch block associated with congenital organic heart disease. Wolff-Parkinson-White syndrome, unequivocal electrocardiographic evidence of myocardial infarction, and ventricular hypertrophy are reasons for rejection.

- (13) **Vascular System.** Any disease of the blood forming organs or the blood. Anemias with hemoglobin lower than twelve grams per hundred cubic centimeters. Polycythemia, leukemia, or any other progressive diseases of the blood system. Hemophilia. The following Peripheral Vascular diseases are disqualifying; intermittent claudication, Buerger's Raynaud's disease or a phenomenon or repeated thrombophlebitis. If peripheral edema is present, the cause shall be determined and the disqualifying disorder identified. Fainting or threat of fainting. Aneurysms and arteriovenous malformations.
- (14) **Abdomen and Viscera.** Any proven gallstones, and hepatitis chronic or acute with impairment of liver function, any cirrhosis, inguinal or femoral hernias if they are likely to become incarcerated, hiatal hernia if symptomatic, Ventral hernia if symptomatic, splenomegaly, and interabdominal tumors or masses. Any previous gastric resection shall be carefully studied and sound x-ray evidence provided that there is little chance of recurrence of the condition which caused the first surgery. Surgery or malignancy. Gastric or duodenal ulcers still active and evidence of healing must be established by x-rays prior to any consideration for employment. History of bleeding ulcers shall be treated the same as any other ulcer and examination by x-ray must show that the condition is healed and unlikely to recur spontaneously again.
- (15) **Anus and Rectum.** Any acute or chronic infection which could result in incapacity or any evidence of rectal prostatic malignancy.
- (16) **Endocrine System.** Evidence of diabetes mellitus which requires insulin or any other hypoglycemic drug for control. Diabetes insipidus. Symptomatic hyperthyroidism or hypothyroidism or Addison's disease or syndrome, or Cushing's disease or syndrome or proven hypoglycemia whether it is functional or due to tumor of the pancreas.
- (17) **Evidence of existing renal calculus or ureterovesical calculus if symptomatic.** A person who has had a nephrectomy but with functional remaining kidney would be considered eligible for employment provided there is no evidence of reduced renal function in the remaining kidney. Any acute or chronic nephritis or nephrosis, hydronephrosis, pyelonephrosis, pyelitis, pyelonephritis, or polycystic disease of the kidneys. Tumors if malignant or if likely to interfere with function.
- (18) **Amputation of any extremity or any portion thereof which would interfere with the duties of a Police Officer or Firefighter.** Atrophy of muscles of any part which is progressive or sufficient to interfere with the performance of duties. Deformities either congenital or acquired if it was to result in malunion of fracture or ankylosis of joints of trauma, if sufficient to interfere with performance. Limitation of motion of a major joint if sufficient to interfere with performance. Neurolgia, chronic or acute, particularly sciatica, osteomyelitis, acute or chronic, with or without a draining fistula. Tumors of sufficient degree to interfere with his/her functions as a Police Officer or Firefighter.

- (19) Spine or other musculoskeletal organs. Any active diseases of bones and joints including active arthritis, curvature of sufficient degree to interfere with function or marked deformity of the spinal column sufficient to interfere with function. Herniation of an intervertebral disk, until corrected. Cerebral palsy, myasthenia gravis, or muscular dystrophy.
- (20) Body marks, scars or tattoos, if sufficient scar tissue is present to interfere with the functions of the surrounding structure.
- (21) Skin and Lymphatics: Neurofibromatosis if associated with concomitant involvement of the central nervous system. Malignant melanoma or if it has been removed, any evidence of metastatic disease. Hodgkin's disease, lymphomas lymphosarcomas, or adenopathy secondary to systemic disease or metastasis.
- (22) Neurological. Any history or findings suggesting that the person had head injury associated with loss of consciousness of thirty minutes or more, any evidence of brain surgery, any history of subarachnoid hemorrhage, a history of cerebral aneurysm or any cerebral vascular disease including any previous stroke. An applicant with an unexplained disturbance of consciousness would have to wait six months following any of these episodes before being considered for employment as a Police officer or Firefighter, and some thorough neurological evaluation must be done including skull films, encephalograms, or computerized tomography to be sure that there is no intracranial defect which caused the disturbance of consciousness and could recur.
- (23) General Systemic Conditions. Body build which shows any congenital or acquired defect which would adversely affect the functions as a Police Officer or Firefighter. Any malignant tumor of any type, until completely eradicated.
- (24) Hearing. The hearing standards require that no more than a 30 decibel loss shall occur between 500 and 3,000 cycles which might interfere with the critical speech determination.
- (25) Distant Vision. Any uncorrected acuity poorer than 20/100 in either eye or any uncorrected acuity poorer than 20/40 in either eye and not correctable to at least 20/40. Concerning near vision, any failure to demonstrate an accommodation of at least 20/400 with each eye separately with or without correction.
- (26) Near Vision. The applicant must demonstrate his ability to be able to read normally at normal distances with or without corrective lenses.
- (27) Intraocular Tension. In cases of glaucoma, the applicant must obtain a report from a certified ophthalmologist stating whether it is a chronic condition and whether it would interfere with his performance as a Police Officer or a Firefighter.
- (28) Color Vision. Any applicant must demonstrate that he/she can adequately identify colors from tufts of wool and from Ishihara 14 plate book without any colored lens aid. He/she must also demonstrate that he/she can correctly identify colors of clothing and of traffic signals in order to be competent to pass the visual tests for Police Officer or Firefighters.

- (29) Field of Vision. This should be tested against a black wall with a white target at a distance of 23 inches from the fixation point. The failure to identify the test target in any presentation at this distance, is disqualifying.
- (30) Phorias of the eyes. Any evidence of diplopia. Any suppression sufficient to prevent determination of heterophoria should be considered for further examination by a qualified eye specialist. Heterophoria or hyperphoria greater than one prism diopter. Esophoria or exophoria greater than six prism diopters. Strabismus.
- (31) Blood pressure. Any applicant who shows a blood pressure 160/100 shall return on three separate dates for re-examination and the maximum acceptable is 150/90.
- (32) Pulse. An applicant with a pulse rate at rest of more than 100 beats per minute must return on three separate dates and show a rate of less than 100 beats per minute. Any pulse rate of more than 120 immediately after exercise should also be given retesting. Any irregularities of the pulse other than an occasional skipped beat or a sinus arrhythmia should be investigated by a cardiologist.
- (33) Urinalysis. Any evidence of glucose or protein shall be considered disqualifying until satisfactory reasons can be determined for the presence of these substances in the urine. Any proteinuria which is a result of renal disease. Any malformation of the urinary tract organs, congenital or acquired which might interfere with normal micturition and cause soiling of clothing or odors.
- (34) Drug Screen. Any presence of an illegal controlled substance as outlined in the Illinois Revised Statutes, or any prescription controlled substance if the applicant has not been issued a legitimate prescription, or the presence of marijuana in excess of 50 nanograms.
- (35) Human Immunodeficiency Virus (H.I.V.). If a positive result is received on the Human Immunodeficiency Virus screen and the applicant has symptoms of active Acquired Immune Deficiency Syndrome (A.I.D.S.) or other symptoms which would interfere with the applicant's functions as a Police Officer or Firefighter.
- (36) Other Medical Condition: Any other medical condition(s) which, in the opinion of the examining physician, would render the applicant unable to perform the current duties of a Police Officer or Firefighter or if such condition would endanger the health and safety of any Firefighter, or Police Officer or the public.

As previously stated a copy of these Rules will be maintained in the City Clerk Office and the Human Resources Office.