

Rules and Regulations Of the Citizen Advisory Board CLOQUET POLICE

The Cloquet Citizen Advisory Board has been appointed by the Cloquet City Council to assist the Cloquet Police Department with regard disciplinary procedures, public complaints, and hiring procedures. The Citizen Advisory Board will assist the Police Chief by providing an objective community perspective in the handling of those matters.

Revised 06-07-2012

ADMINISTRATIVE RULES & PROCEDURES

Rule 1. **Definitions** - For the purpose of these rules and procedures, the following terms and phrases shall have the meaning prescribed to them as set forth below:

- (a) **Appointing authority@** means the City Council of the City of Cloquet.
- (b) **Candidate list@** refers to the list of the entry-level applicants who have successfully passed the competitive written/skills examination phase of the selection process.
- (c) **Certification@** means the process by which the Citizen Advisory Board nominates the three highest scoring individuals on the eligible register to the Police Chief to be considered for appointment.
- (d) **Classified employees (members)@** means all employees or members of the police department for which formal job descriptions have been developed and approved by the Police Chief/City Administrator.
- (e) **Criminal, infamous or disgraceful conduct@** refers to conduct which would reflect discredit upon the applicant, or conduct which could reasonably be foreseen to impair the operation or efficiency of the applicant should he/she be considered for employment or promotion.
- (f) **Eligible register@** refers to the list of entry-level applicants who have successfully completed both the written and oral interview phases of the selection process and who may be considered for certification.
- (g) **Emergency@** means a period of severe social, economic or political disruption which would include, but not be limited to, war or other military hostilities in which the armed forces of the United States are a participant; a municipal, county, state or national disaster or catastrophe; or, a period of political unrest resulting in the major disruption of services.
- (h) **Minimum standards@** shall mean one or more criteria placed on applicants to fulfill requirements for promotion, qualification for employment, licensing, certification or accreditation by professional organizations or a licensing authority.
- (i) **Citizen Advisory Board@** refers to a three member board whose members are appointed by the Mayor (and approved by the City Council). Each term will be

staggered from the others and will be a three (3) year term.

- (j) ABoard@ is by reference intended to refer to the three members of the Citizen Advisory Board.
- (k) AUse of drugs, narcotics or intoxicating liquors@ means the documented ingestion or injection of a non-prescribed drug, narcotic or intoxicating liquor which results in a criminal court conviction, voluntary or court-ordered participation in a treatment/rehabilitation program, or the discovery of substance use through an authorized random-testing program.

Rule 2. **CLOQUET POLICE CITIZEN ADVISORY BOARD ORGANIZATION.**

Subd 1. Meeting. The Citizen Advisory Board shall meet in the first quarter of each year. The Citizen Advisory Board shall from time to time fix the times for its meetings and adopt, amend, and alter rules for its procedure. Two (2) members of the Citizen Advisory Board shall constitute a quorum and a minimum of two votes will be necessary to take formal action.

Subd 2. Citizen Advisory Board to Serve Without Pay. Each Board member shall serve without pay. The Council shall pay, from the municipal treasury, all expenses incurred by the Citizen Advisory Board in connection with the performance of its duties and shall furnish it with all supplies, stationery, and equipment it may require.

Rule 3. **CITIZEN ADVISORY BOARD RECORDS DEEMED PUBLIC RECORD.** Save any exception(s) noted in these rules, the minutes, correspondence and records of the Citizen Advisory Board are hereby declared to be public record subject to the privacy rights and protections afforded by law.

Rule 4. **AMENDMENTS TO RULES.** The City and Board may at any time cooperate to make, amend, alter and change or otherwise make additions to these rules and regulations to promote efficiency. Copies of these rules shall be maintained at the police department and will be available for inspection upon reasonable request.

Reasonable notice of the effective date of the changes, amendments, alterations, or additions shall be given by posting copies of the changes in the police department. In addition, each employee subject to the changes will be provided with a copy of the changes to be posted in his/her copy of the policy manual.

Rule 5. **JOB CLASSIFICATION AND DESCRIPTION.** The classification and description of all officers and employment positions maintained in the police department of the City of Cloquet are found in Section D, appended hereto and made part of these rules by reference, and shall constitute the classification plan for positions in the respective departments.

Rule 6. **REQUIREMENTS FOR ENTRANCE TO AND PROMOTION POLICE DEPARTMENT.**

Subd 1. Basic Requirements. Except as provided otherwise in these rules, no person shall be recommended to a position in the Police Department for appointment or by promotion unless he/she shall have:

- 1) Filed a written application on the Police Department prescribed form,
- 2) Met all required minimum standards of the particular employment,
- 3) Qualified by passing the required tests for the particular employment, and
- 4) Been certified in accordance with these rules.

Subd 2. Filing applications. Any person desiring appointment or promotion in the Police Department shall complete and file a written application with the Police Department on the prescribed form for admission to the next examination which will be given to all persons seeking appointment or promotion in a given class.

Notice of examination to entry-level positions in the Police Department shall be made by public advertisement at least ten (10) days in advance in a newspaper of general circulation in the City of Cloquet. In addition, the positions will be posted by advertisement for ten (10) days in City Hall and at the police building. The notice of examination shall state the manner in which the application forms may be obtained, the date limit for acceptance of applications, any minimum requirements for employment and other pertinent information. The Police Chief or Designee shall require evidence that the candidate possesses the minimum qualifications set forth for the position being sought. Each person on the application register shall receive ten (10) days advance mailed notice of examination.

Notice of examination for promotions in the Police Department shall be made by posting the job announcement at least ten (10) days in advance in the police department (for police promotional exams).

Notice shall also be forwarded to all absentees on vacation, sick leave or other approved leaves of absence. The notice of examination shall state the manner in which the application forms may be obtained, the date limit for acceptance of applications, any minimum requirements for employment, and other pertinent information. The Police Chief shall require evidence that the candidate possesses the minimum qualifications set forth in the specifications for the position being sought. Each person on the application register shall receive ten (10) days advance mailed notice of examination.

Subd 3. Entrance Examinations. Initial appointment to the Police Department shall be based upon competitive examination (police) and the successful completion of an oral interview. All applications receiving a passing score (70% or above) on the written/skills examination will be placed on the appropriate candidate list (police) from which the Police Chief shall select candidates to be orally interviewed. Oral interviews will then be conducted as positions in the Police Departments become available. The Police Chief shall determine the number of candidates to be interviewed based upon the number of appointments likely to be made.

Candidates who successfully complete the oral interview(s) with a minimum score of 70% will be placed on the appropriate department eligibility register from which future appointments are made. The Police Chief reserves the right to interview additional candidates to replace those who do not receive a passing score and, as necessary, to expand the eligible register.

Subd 4. Promotional Examinations. Promotions in the Police Department shall be based upon education, experience, records of efficiency, character and conduct, seniority and on competitive examination scores as set forth by the Cloquet Police Department. Those scores will be used by the Police Chief to arrive at a finalist whose name will be passed on with a recommendation to the City Council for consideration for approval.

Promotional examinations shall be open only to employees in the Police Departments who have completed a minimum time in service and who possess all other specified qualifications. In the event that all applicants fail to qualify for promotion on the basis of physical requirements, class specifications, or competitive examinations, the Police Chief may prescribe alternative tests and qualifications based on requirements reasonably necessary for the position being sought and may extend the right of application unrestricted.

Subd 5. Rejection of Applications or Eligible Candidates. The Police Chief may reject any applicant or eligible candidate prior to the examination date or before certification from the eligibility register for good cause shown for any or all of the following cause(s):

- a) That he/she is physically unfit to perform the duties of the position sought;
- b) That he/she is found to lack the minimum qualifications as required in these rules;
- c) That he/she has been found guilty of criminal, infamous, or disgraceful conduct, or behavior unbecoming;
- d) That he/she has used any willful misrepresentation, deception, fraud, or false statement in connection with his/her application or qualification for employment or

promotion.

The Police Chief shall cause each applicant whose application or eligibility is questioned under this subdivision to be notified in writing; and, the Police Department shall, upon written request of the applicant, provide the applicant with an opportunity to explain why he/she should not be rejected or his/her name should not be removed from the eligible register.

Subd 6. Planning and Holding Tests for the Eligible Register. The Police Chief shall continuously monitor staffing requirements for the Police Department and shall schedule examinations for appointment or promotion whenever necessary. The Police Chief shall proceed by:

- 1) Issuing the proper notice;
- 2) Notifying applicants of the examination date, time and place;
- 3) Securing testing facilities and materials; and,
- 4) Seeing that the resulting eligibility register is prepared and submitted to the Citizen Advisory Board for approval.

No eligible register shall become effective until it is submitted to and approved by the Citizen Advisory Board.

Subd 7. Type of Tests. The test(s) used to determine the fitness of applicants for positions in any class of the Police Department may be written and/or oral, or in the form of a demonstration of skills or may be combination of these. These tests shall, as far as possible, be of character to fairly test and determine the relative mental and physical fitness and ability of the applicants to perform the duties of the position(s) to which they seek appointment or promotion. Any test or combination of tests that, in the judgment of the Police Chief, serves this end may be employed.

All applicants for positions of trust and responsibility shall be specially examined as to moral character, sobriety, and integrity, and all applicants for positions requiring special experience, skill, or faithfulness shall be specially examined in the respect to those qualities.

Subd 8. Conduct of Examinations. The Citizen Advisory Board shall ensure that all applicants be given an equal opportunity to demonstrate their qualifications and that all examinations are conducted openly and fairly. If an applicant is found to be using any extraneous, forbidden, or unfair source of information or advantage when taking the examination(s), the examination monitor is authorized to seize such material and shall

make a written report to the Police Chief. The report will be submitted with the applicant's test materials and the improper source of information or advantage alleged.

The Police Chief may take such action as deemed appropriate in the case and may, in his/her discretion, disqualify the applicant.

Subd 9. Scoring of Examinations. The Citizen Advisory Board shall see that all examinations are scored as fairly and promptly as possible and shall cause copies to be kept in the files of the Police Department for a period of not less than one year. A copy of any evaluation/scoring sheets used, a copy of the notice used to advertise the position, and copies of any correspondence made between the Chief and the applicants(s) shall be maintained. Written, skills and oral examinations will be scored in the following manner and will be based upon a one hundred (100) point system. (Police Chief reserves the right to call for a new examination.)

(a) Entrance Examinations

- 1) Written or Skills. The written test score is derived by dividing the number of points awarded for answering correctly or skills performed correctly, by the total number of points possible for the examination. Weighted questions may award more than one point. Scores are rounded to the nearest hundredth. A minimum passing score of seventy (70) out of a possible one hundred (100) points is required to continue in the selection process. All non-disabled veteran applicants receiving a minimum passing score will then have the option of a one-time election to add ten (10) veterans preference points to their written score. All disabled veterans receiving a minimum passing score will then have a one-time option of electing to add fifteen (15) veterans preference points to their written score.

- 2) Oral Interview. The oral test score is derived by dividing the number of points awarded by the total number of points possible for the examination. Scores are rounded to the nearest hundredth. If more than one oral interview is utilized, the final score is calculated by adding the scores of all interviews used and dividing that sum by the number of interviews utilized. The resulting score is rounded to the nearest hundredth. In either case, a minimum passing score of seventy (70) out of a possible one hundred (100) points is required to be considered for the eligible register. All non-disabled veteran applicants receiving a minimum passing score of seventy (70) will then have a one-time option of electing to add ten (10) veterans preference points to their oral score. All disabled veterans receiving a minimum passing score of seventy (70) will then have the one time option of electing to add fifteen (15) veterans preference points to their written score.

(b) Promotional Examinations

1) Promotional examinations will utilize a combined total score and a one hundred (100) point system. The score for promotional examinations will be weighted as follows:

a.	Written score component	40 pts
b.	Oral score component	45 pts
c.	Educational component	5 pts
d.	Employee performance/evaluation	5 pts
e.	Seniority component	<u>5 pts</u>
		100 pts

2) Written or Skills (when used - for promotion to Sergeant/ Detective). The score is derived by dividing the number of points awarded for answering correctly or skills performed correctly, by the total number of points possible for the examination. Weighted questions may award more than one point. Scores are rounded to the nearest hundredth.

$$\frac{\# \text{ Points Awarded}}{\# \text{ Points Available}} \times (40) = \text{Written points component}$$

3) Oral Interview Process.

Oral interview (when used for promotion to Sergeant/Detective). The score is derived by dividing the number of points awarded by the total of points possible for the examination. Scores are rounded to the nearest hundredth. If more than one oral interview is utilized, the final score is calculated by adding the scores of all interviews used and dividing that sum by the number of interviews utilized.

The resulting score is rounded to the nearest hundredth. Promotional examinations utilize a combined total score; therefore, no minimum score is required.

The oral interview score is derived by awarding a specified number of points for each segment of the oral interview up to a total of one hundred (100) points for the interview with the Citizen Advisory Board.

$$\frac{\text{Average Oral Interview Score}}{\text{Out of 100 possible points}} \times (45) = \text{Oral interview points}$$

Out of 100 possible points, a maximum total of 45 points will be awarded for the Oral Interview component.

Maximum total of 45 points.

The issue of "efficiency, character and conduct" will be addressed during the oral interview by means of an interview question or questions which solicit a response from the applicant. The response to this question(s) will be scored in the same manner as other oral interview questions are scored.

- 4) Educational Component. Candidates will be given additional points based upon educational and training achievements. The following scores will be allocated as follows:

Associate's Degree	2
Bachelor's Degree	4
Master's Degree	2

Maximum college education total of 6 points; i.e. Associate's plus Bachelor's only worth 4. Certification courses beyond those required for maintaining POST - 1 each to a maximum of 9. Total maximum education component is a score of 15.

Points Awarded X (5) = Education points component
15 points Available

- 5) Employee Performance Review Component. Employee work evaluations will be reviewed for the three years preceding the promotional exam. In addition, points will be deducted from the promotional exam totals to account for disciplinary action taken in the three years leading up to the date of the exam. Each of the following actions will be factored into the total exam score:

Oral warnings
Written warnings
Paid Suspensions (involving disciplinary action)
Unpaid Suspensions

Points can be added back for letters of commendation, recognition awards, positive public feedback and performance recognition above and beyond the regular call of duty.

A total of five (5) additional points, (1.67 for each year) will be added to the total score. Each of the criteria assessed on the annual review of each applicant will be considered in arriving at the points achievable for any given year of service.

Below expectations	-1
Meets expectations	0
Exceeds expectations	+1

Add all criteria ranks X (1.67) = points for each year
10

Maximum score is 5 points since only the most recent three years are considered for additional points.

- 6) Seniority Component. The seniority score is derived by awarding one (1) point for each completed year of service with the City of Cloquet and dividing that number by 7 to get a component point value for the promotional exam; i.e. twenty-one (21) years of service will add 3 points to the exam score to a maximum of five (5) points.

EXAMPLE OF PROMOTIONAL SCORING OPTIONS

Sergeant/ Detective (Police):

If both written and oral examinations are used:

Examination Oral	_____	45%
Examination Written	_____	40%
Education	_____	5%
Work Performance	_____	5%
Seniority	_____	5%
Subtotal	_____	100%
Veteran Preference pts added	_____	(If qualified and elected)

TOTAL QUALIFYING SCORE _____

If only an oral examination is used:

Oral Examination	_____	85%
Education	_____	5%
Work Experience	_____	5%
Seniority Points	_____	5% (In this instance years of service is divided by 7 to reach a maximum of 5 pts)
Veterans points added	_____	(If qualified and elected)

TOTAL QUALIFYING SCORE _____

(c) Veterans Preference.

1. Entry level positions. For purposes of entry level positions, veterans preference credit, as provided by statute, will be added to the score of all who meet the minimum passing rate on the written and oral examinations which is a score of at least seventy (70) on each. At the time of this revision, 10 points (on a 100 point scale) are awarded for an honorably discharged veteran, 15 points (on a 100 point scale) are awarded for a disabled veteran. For purposes of these rules, and for purposes of securing entry level employment, a disabled veteran will mean a person who has a compensable service-connected disability as adjudicated by the United States Veteran Administration.
2. Competitive promotional positions. For purposes of the preference to be used in securing a competitive promotion, five (5) points will be added to the score of disabled veteran that achieves a passing score without the addition of credit points provided the Adisabled veteran@ is applying for a first promotion after hire. For purposes of this section, a Adisabled veteran@ means a person who at the time of election to use a promotional preference is entitled to disability compensation by the Veterans Administration and is rated at a 50% or more service-connected disability. See Minn. Stat. §197.455.
3. Effect of election. Every veteran and disabled veteran as those terms are defined herein will only be permitted to elect to use veteran=s preference points at one stage (either at written stage or oral interview stage) of the entry level or promotional testing process.

Rule 7. **PREPARATION AND ADOPTION OF ELIGIBLE REGISTERS.**

Subd. 1. Entrance Examinations. Upon completion of scoring, the Citizen Advisory Board shall prepare a written register showing the applicants' names ranked in order of their total oral interview score provided the applicant has a minimum score of 70 on each of the written and oral exam. The names will be ranked with the highest total on the oral exam appearing first. In the event that two or more applicants have identical oral interview scores, the applicant with the higher written score will be placed highest on the register, second to be listed next, and so forth.

Subd 2. Promotional Examinations. In the event that two or more applicants have identical total scores, they will be referred to the Police Chief for a final interview. The Police Chief will consider the scores and the performance in the final interview and will make a recommendation for hire to the City Council. If the applicant recommended is not hired or does not accept the promotion for any reason, the Police Chief will recommend one of the remaining candidates until the position is filled.

- Rule 8. **NOTICE TO APPLICANTS.** Within ten (10) days following approval of any eligible register for appointment or promotion, the Police Department shall notify each applicant placed on the eligible register of his/her total weighted score and his/her relative standing on the register. Any applicant who fails to have his/her name placed on the eligible register shall be notified of that fact. Any applicant (but only the applicant), may at any reasonable time, inspect his/her own examination documents on file with the Police Departments.
- Rule 9. **PRESERVATION OF THE APPLICATIONS, EXAMINATION RECORDS, AND OTHER RELATED DOCUMENTS.** Applications, examination records, and other documents of individuals who score less than the minimum required on any examination, and those whose names are not placed on the eligible register shall be preserved for three (3) months after the approval of the register and then shall be destroyed.
- Applications, examination records, and other documents of those individuals whose names appear on the eligible register shall be preserved for the life of such register and shall then be destroyed.
- Rule 10. **ERRORS, CORRECTIONS AND REVISIONS.** If clerical or other errors are discovered in the scoring of any examinee's work, the Citizen Advisory Board shall make the necessary corrections in scores and in the eligible register rankings and shall notify promptly the eligible applicants affected. No person whose name has been certified from such register and who has been employed, shall be displaced because of such a correction and change.
- Rule 11. **PROBATION PERIOD.** Newly-appointed Employees. Any person appointed to a position in the Police Department after certification from an eligible register, shall be on probation for a period of twelve (12) months. Any person on probation may be discharged by the Chief of Police (as appropriate) without recourse. With regard to the length of the probationary period, it will be extended by precisely the period of time taken as a leave of absence by an employee for any reason, i.e. medical, vacation, sickness, FLA. etc.
- Rule 12. **SERVICE RATINGS - EMPLOYEE EVALUATIONS.** Performance evaluations shall be conducted on an annual basis by the Chief of Police (as appropriate) or his/her designee, taking into account employee work schedules and shift rotations. The Chief of Police may review the employee evaluations when deemed necessary. In addition, the Citizen Advisory Board may consider information from current and prior performance evaluations when conducting oral interviews for promotional examinations.
- Rule 13. **COORDINATION WITH RULES AND REGULATIONS OF THE POLICE DEPARTMENT.** The Citizen Advisory Board shall endeavor to promote respect for the respective department and shall assist in the enforcement of Rules and Regulations of the Police Department that are consistent with the law and these administrative rules. The

Citizen Advisory Board recognizes the Rules of Conduct, Disciplinary Procedures, and Department General Orders appended to and made part of these rules, as bona fide standards for fitness, conduct, and efficiency governing the operation of all officers and employment in the Police Department. To the extent that any portion of these rules is determined to be unenforceable, it is the express intent to have the remaining rules and procedures apply to the extent permitted by law.

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