

(Published in the Topeka Metro News February 6, 2008)

ORDINANCE NO. 19028

AN ORDINANCE introduced by City Manager Norton N. Bonaparte, Jr., repealing City of Topeka Code §§ 106-53, 106-57 and 106-58 concerning police promotion procedure.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TOPEKA, KANSAS:

Section 1. That City of Topeka Code § 160-53 is hereby amended to read as follows:

~~Police promotion board.~~

~~There is hereby created a police promotion board which shall consist of no fewer than seven members. The chief of police shall appoint four sworn members from the police department, one of whom shall be a nonvoting administrative officer, and two members from a municipal law enforcement agency whose authorized strength is 25 or more officers. One member shall be a representative from the personnel human resources department division and shall be appointed by the human resources director. Each member shall serve until a successor is appointed. A quorum shall consist of a majority of the members of such board.~~

Section 2. That City of Topeka Code § 106-57 is hereby amended to read as follows:

~~Eligibility of police for promotion.~~

~~(a) No member of the police department shall be eligible for advancement above patrol officer until such member shall have a minimum of three years of continuous service with the police department.~~

~~(b) Four years of continuous service with the police department shall be required to be eligible to take the examination for promotion to the ranks of sergeant or detective,~~

30 ~~and two years of continuous service at the rank of sergeant shall be required to be~~
31 ~~eligible to take the examination for promotion to the rank of lieutenant. Persons~~
32 ~~promoted to the rank of detective prior to July 1, 1974, and who have served two years~~
33 ~~of continuous service as a detective shall be eligible to take the examination and/or be~~
34 ~~promoted to lieutenant.~~

35 Section 3. That City of Topeka Code § 106-58 is hereby amended to read as
36 follows:

37 **~~Police promotion procedure.~~**

38 ~~(a) — Generally. All positions below the rank of captain shall be filled only after~~
39 ~~being tested, interviewed and examined by the promotion board. The promotion board~~
40 ~~shall make recommendations for promotions of qualified personnel to the chief of police,~~
41 ~~who shall make promotions from such recommendations. Promotions to the rank of~~
42 ~~corporal or detective sergeant shall be made by the chief of police, who may consider a~~
43 ~~recommendation of the division commander within the respective division concerned~~
44 ~~without recommendations of the promotion board; provided, however, the chief of police~~
45 ~~may, without recommendation of the promotion board, make promotions to the rank of~~
46 ~~lieutenant colonel, major or captain. Supplemental information regulating this section~~
47 ~~shall be found within rules and regulations of the police department. Department rules~~
48 ~~and regulations pertaining to promotional procedures shall be subject to civil service~~
49 ~~commission approval.~~

50 ~~(b) — Notice of exam. Notices of the date, time and place of written~~
51 ~~examinations to be conducted by the personnel division department of human~~
52 ~~resources shall be posted by the chief of police or designee in at least six public places~~
53 ~~within police headquarters. Such notices shall be posted and remain so posted for at~~

least 30 calendar days prior to the date of such examinations. A listing of study material from which the examinations are created will be available to all applicants through the chief of police or designee a minimum of six months prior to testing.

~~(c) — Eligibility for oral interview. Eligibility for continuance to the oral interview will be determined by combining the applicant's written exam score with seniority and education points. All applicant composite totals of exam, seniority, education and professional training shall be arranged in a list by descending order. The number of applicants proceeding to the oral review board will be limited to half the number of budgeted positions for that particular rank and shall be taken from the top half of the list.~~

~~(d) — Components of score. The promotion board shall meet not later than two weeks following such written examinations for the purpose of conducting oral interviews. At the conclusion of each candidate's oral interview, the candidate shall receive a final score which shall be weighed as follows:~~

TABLE INSET:

Written examination	0 to 50 points
Seniority	0 to 15 points (3/4 point per year and/or any fraction thereof, 15 points maximum)
Oral interview	0 to 20 points (problem-solving, 15 points; presentation, 5 points) -
Education	0 to 10 points (1/4 point per 3 college credit hours, up to 10 points for 120 credit hours or bachelor's degree)
Professional training	0--5 points (police training programs as approved by the chief which are above and beyond required training, 1 point per 25 classroom hours, up to 5 points for 125 classroom hours)

69 Appeals about scoring may be made only on the numerical computation of the
70 applicant's score. The appeal must be filed with the office of the chief of police by 5:00
71 p.m. the following business day after the score is received.

72 (e) ~~Promotion list.~~ The promotion board shall, upon completion of oral
73 interviews, forthwith compile a promotion list marked by final scores in descending
74 order, and such list shall be transmitted to the chief of police, who shall thereafter make
75 promotions from such promotion list. Selection shall be made from the top four
76 candidates on such list. Such lists of eligibility shall be renewed completely once each
77 year. Persons passed over for promotion shall be notified in writing within five days by
78 the chief of police stating the reason for the chief's selections. No posting of the
79 promotion shall be made until the chief has notified those officers that have been
80 passed over. Persons passed over for promotion may appeal the chief's choice. The
81 appeal must be in writing and must be submitted to the chairperson of the civil service
82 board within three calendar days of receiving notice of being passed over for promotion.
83 Upon receiving an appeal from an employee who is passed over for promotion, the civil
84 service commission shall meet within ten working days to consider the appeal and shall
85 give not less than three working days' notice in writing to the appellant and all interested
86 parties of the time and place of such meeting. The civil service commission shall submit
87 its findings to the employee and department head within three working days after the
88 hearing and its recommendations shall be binding.

89 Any person on the promotion list who is considered for promotion shall be offered
90 written opportunity to accept or refuse such promotion. Such written acceptance or
91 refusal must be given within five working days of such written opportunity for
92 acceptance or rejection. Refusal shall not affect position on such promotion list.

