RULE VII
MINIMUM QUALIFICATIONS

A. Police Officers

Applicants must possess the following qualifications at the time of application for the position of police officer:

1. Applicants must be at least 20 years and 6 months of age by the date of the written examination.

2. A person who is 45 years of age or older may not be certified for a beginning position in a police department.

3. Applicants younger than 21 years of age may be eligible, if the applicant is at least 18 years of age and has:

   a. Successfully completed and received credit for at least sixty (60) hours of study at an accredited college or university; or

   b. Received an Associate Degree from an accredited college or university; or

   c. Received an honorable discharge from the United States Armed Forces after at least two (2) years of active military service.

4. Applicants must not have any of the disqualifying items listed below on their record:

   a. Conviction of any offense above the grade of Class B misdemeanor, or other crime involving moral turpitude.

   b. Any discharge from the United States Armed Forces other than Honorable. (Uncharacterized and Entry-Level discharges may be accepted and will be assessed on an individual basis.)

   c. Traffic citations for two (2) or more hazardous moving traffic offenses with any disposition other than "not guilty" within the twelve (12) months preceding the date of application.

   d. Conviction of a Class B misdemeanor within the last ten (10) years.

   e. Conviction of a crime involving family violence.

   f. Have been on court-ordered community supervision or probation for any criminal offense above the grade of Class B misdemeanor.

g. Have been on court-ordered community supervision or probation for a Class B misdemeanor within the last ten years from the date of the court order.

h. Currently under indictment for any criminal offense.

5. Applicants must have a high school diploma or a G.E.D. certificate. The applicant's academic records must reflect a minimum overall grade point average of "C" or its numerical equivalent. In the event an applicant's high school grade point average is below this standard, or the applicant presents a G.E.D. certificate, the applicant must have attended an accredited college or university, completed at least twelve (12) semester hours, and maintained a minimum grade point average of a "C" or its numerical equivalent.

6. Applicants must be a U.S. citizen.

7. Applicants must be able to read, write, and speak in the English language.

8. Applicants must meet all legal requirements necessary to become eligible for future licensing by the Commission on Law Enforcement Officer Standards and Education.

9. Applicants must meet the suitability requirements listed under *Rule IX. H. (13) Use of Illicit Substances.*

B. Fire Fighters

Applicants must possess the following qualifications at the time of application for the position of Fire Fighter:

1. Applicants must be at least 19 years of age by the date of the written examination.

2. Applicants must not have reached 34 years of age by the date of the written examination.

3. Applicants must have a high school diploma or G.E.D. certificate.

4. Applicants must be able to read, write, and speak in the English language.

5. Applicants must not have any of the disqualifying items listed below on his/her record:

   a. Conviction of a felony or other crime involving moral turpitude.

   b. Any discharge from the United States Armed Forces other than Honorable. (Uncharacterized and Entry-Level discharges may be accepted and will be assessed on an individual basis.)

c. Two (2) or more traffic violation convictions within the twelve (12) months preceding the date of the written examination.

d. Conviction of a Class A or Class B misdemeanor or its equivalent within the 24 months preceding the date of the written examination.

e. Conviction of a Driving While Intoxicated, Driving Under the Influence of Drugs, or their equivalent within the five (5) years preceding the date of the written examination.

RULE IX – (2) FIRE APPLICANTS
ELIGIBILITY LISTS FOR BEGINNING POSITIONS

A. Passing Score

Applicants must receive a score of seventy percent (70%) or higher on the written examination in order to be placed on the eligibility list and continue with the selection process.

B. Military Preference

Applicants who have:

1. served on active duty for a minimum of 180 consecutive days in the United States Armed Forces;
2. been released from and not currently serving on active duty or who provide proof they are scheduled for release from active duty;
3. provided a DD-214 stating he/she has been assigned a character of active service that is rated Honorable or have provided a letter from their current commander (field grade officer or above) that contains contact information for the commander, indicates term of service, and that the service member will receive an Honorable Discharge based on current conditions; and
4. scored seventy percent (70%) or higher on the written entrance examination

are eligible to receive an additional five (5) points, which shall be added to the applicant's written entrance examination score and used to determine his/her placement on the eligibility list.

To receive the five (5) military preference points, applicants must provide evidence of honorable military service, in accordance with (1, 2, & 3) above, and submit such evidence to the appropriate Fire Department Recruiting Office no later than the date specified in the Civil Service Commission's examination announcement.

Prior to the actual appointment to the Fire training academy, an applicant must provide an original certified true and exact copy of the DD-214 indicating character and length of honorable service. Failure to provide a DD-214 as proof of honorable discharge and release from active duty will result in the applicant being deemed unsuitable for failing to meet the minimum qualifications as outlined in Rule VII A. 4, b (Police) and VII B. 5 b (Fire). Only the following copies of DD214's will be accepted: Member 4, Service 2, Service 7, Service 8, and State Director of Veteran's Affairs 6.

NOTE: Applicants who acquire the 180 days of honorable service after the designated submission deadline or who do not provide sufficient evidence of honorable military service within the designated time frame shall <u>not be eligible</u> for the five (5) military preference points.

C. Tiebreaker

Lots are drawn at the time of the examination. In the event two or more applicants receive identical scores on the written examination, the applicants are placed on the eligibility list according to the lot they drew. The applicant with the lowest lot is listed first.

D. Preparation of Eligibility List

The Civil Service Director shall cause to be prepared a list of names of all applicants who score seventy percent (70%) or higher on the written examination. This list of names is ordered from the highest score to the lowest score, inclusive of veteran's points and lots. This list becomes the eligibility list for the position for which the entrance examination was given and all appointments to said position are made from this list.

E. Approval and Duration of Eligibility List

The Director shall present the list of eligible applicants to the Commission for approval, attesting to the correctness of the order of placement of eligible applicants on the list. This list will be valid for a period of not less than six months or more than twelve months from the date it is approved by the Commission, unless the names of all applicants on the list have been referred to the appropriate department. The Commission shall determine the length of the period after considering the requests of each respective department. Civil Service Director shall have the authority to transmit the eligibility list to the respective department prior to Commission approval if such list is placed on the agenda for the next Commission meeting for ratification of the Director's transmittal.

F. Notice of Placement on Eligibility List

Applicants are notified in writing of their examination score and results. Those applicants who passed the examination are also informed of their position on the eligibility list.
Applicants who are either natural-born or adopted children of a fire fighter, who suffered a line of duty death, shall be ranked at the top of the eligibility list if the applicant receives a minimum score. Applicant must still satisfy all minimum requirements for eligibility in order to be considered for a beginning position. The Chief shall make the final determination on whether an applicant meets the line of duty death definitions.

G. Proper and Sufficient Notice to Applicants

Notices sent to an applicant's last known address are considered sufficient and proper notification.

It is the responsibility of each applicant on an eligibility list to notify the Commission in writing within ten (10) business days of any change of address. **The applicant will be removed from further consideration** for failure to respond or report changes in address.

Applicants **removed from consideration** for this cause are eligible to reapply for subsequent entrance examinations.

H. Suitability for Appointment to a Beginning Position

An applicant will be deemed unsuitable for appointment to a beginning position whenever the applicant loses any of the minimum qualifications set forth in Rule VII, MINIMUM QUALIFICATIONS.

In addition to the minimum qualifications, the following establishes causes for determining an applicant's suitability for appointment to a beginning position in the Fire Department:

1. Academic Ability

Applicants' academic records must reflect the ability to maintain the high standards demanded in the Training Academy.

Applicants must present a high school diploma or a G.E.D. certificate.

Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations **once the applicant obtains a high school diploma or G.E.D. certificate.**

2. Withdrawals

Applicants desiring to withdraw from consideration must submit a signed written statement indicating this desire to the Applicant Processing Unit. In the event no written statement is presented, the applicant will continue in the process subject to the conditions specified in these rules.

Applicants withdrawing their applications are eligible to reapply for subsequent entrance examinations.

3. Financial Responsibility

Applicants must demonstrate fiscal responsibility and judgment in the management of their personal affairs.

Applicants obligated to child and/or spousal support payments must be current on all payments. **Applicants must not be delinquent on federal, state, or local taxes.**

Applicants deemed unsuitable under this cause are not eligible to reapply for eighteen (18) months from the date deemed unsuitable under this cause

4. Physical Fitness

Applicants must possess the physical ability necessary to perform the rigorous physical demands of the Training Academy and to professionally accomplish the assignments of a fire fighter without undue risk of injury or fatigue. Applicants must demonstrate they possess an efficient cardiovascular respiratory system and adequate levels of muscular strength, flexibility, and endurance by their successful completion of the Physical Fitness Evaluation in which they meet or exceed the Physical Fitness Standards approved by the Commission in Rule XV, MEDICAL, PYSCHOLOGICAL, and PHYSICAL FITNESS.

Applicants must meet or exceed each standard during a single evaluation to be considered having successfully completed the evaluation.

Applicants who fail the physical fitness evaluation are allowed to retest within two (2) weeks. Applicants failing the physical fitness evaluation after two attempts are unsuitable.

Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations.

5. Driving Record

Applicants must possess a valid Texas Class "C" Operator's License or another state's equivalent.

Applicants' driving records must reflect driving habits that are compatible with the safe operation of emergency vehicles. Applicants are deemed unsuitable when at any point in their processing; their driving records reflect one or more of the following:

a) **Traffic citations for five (5) or more hazardous moving traffic offenses, with any disposition other than "not guilty", within the preceding thirty-six (36) months from the date of the written examination;**

b) **Traffic citations for eight (8) or more traffic offenses, with any disposition other than "not guilty", within the preceding thirty-six (36) months from the date of the written examination. Traffic citations under this subsection shall only include all hazardous moving violations as well as no valid license, seat belt and financial responsibility ("insurance") citations.**

c) **Involvement as a driver in three (3) or more motor vehicle accidents, where the drivers actions contributed to the accident, within the preceding twenty-four (24) months from the date of the written examination;**

d) **Suspension or revocation of driving privileges within the preceding twenty-four (24) months from the date of the written examination;**

e) **Applicants must not be on probation for D.U.I or DWI.**

f) **Applicants must not be wanted on outstanding traffic warrants.**

Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations.

6. Polygraph Examination

Applicants must demonstrate their veracity in responses to all personal history, employment, criminal activity, and personal habit interrogatories presented in the Polygraph Questionnaire approved by the Commission. Satisfactory demonstration of this requirement will be based on a polygraph examiner's report of "*No Deception Indicated.*"

Manner of Testing

a) Each applicant is required to complete an approved "Polygraph Examination Questionnaire" prior to undergoing the examination.

b) The polygraph examination is for the sole purpose of verifying the applicant's truthfulness in the responses to the approved questionnaire.

c) Current or former law enforcement, corrections, or security officers are required to respond to additional questions relating to their conduct as a law enforcement, corrections, or security officer.

d) Polygraph examinations are conducted by a licensed polygraph examiner.

e) Applicants whose original polygraph results are found to be other than "No Deception Indicated" are re-examined within thirty (30) days.

f) Subsequent polygraph examinations are conducted by a different examiner.

g) Examiners who are related to an applicant, in the first degree by blood or marriage, are ineligible from administering the polygraph examination to the relative or to applicants appearing higher than the relative on the eligibility list.

Applicants whose polygraph results remain deceptive or inconclusive after two (2) examinations are deemed unsuitable.

Applicants deemed unsuitable one time under this cause are eligible to reapply for subsequent entrance examinations.

7. Psychological Evaluation

Applicants must be certified by a licensed psychologist or psychiatrist to be in satisfactory psychological and emotional health appropriate to the duties and functions of a professional fire fighter.

Applicants who fail to be certified as psychologically fit to perform the duties of a fire fighter by a licensed psychologist or psychiatrist are deemed unsuitable.

In accordance with Chapter 143.022, applicants deemed unsuitable under this cause may request another examination by a board of three physicians, psychiatrists, or psychologists, as appropriate, appointed by the commission. The applicant must pay for the board examination. The board's decision is final.

Applicants who fail to be certified by the board are eligible to reapply for subsequent entrance examinations.

8. Compliance with Processing Requirements

Applicants are required to complete and satisfactorily meet the employment process requirements. This includes submitting paperwork such as the personal history questionnaire and other documents prior to the designated date, reporting to appointments and examinations on the scheduled dates and times, proper notification of address and/or telephone number changes, and complying with the directions and instructions of the Applicant Processing Unit.

Applicants are required to show proof of having completed the Hepatitis B vaccine series prior to completion of processing. Applicants who previously have taken the vaccine shall not be required to take it again, but must show proof.

Applicants who fail to complete or satisfactorily meet the employment process requirements **will be removed from consideration.**

Applicants will be removed from further consideration for failure to meet the employment process requirements including but not limited to the following:

a) **Fail to report to a scheduled appointment at the designated date and time.**

b) **Fail to comply because they have been hired from a previous eligibility list.**

c) **Fail to notify Applicant Processing of address and/or telephone number changes.**

d) **Fail to report for the fitness test at the scheduled date and time.**

e) **Fail to return the personal history statement as directed.**

f) **Fail to show proof of completion of the Hepatitis B vaccine series prior to the completion of processing. Applicants who previously have taken the vaccine shall not be required to take it again, but must show proof.**

g) **Fail to submit required documents by the given deadline.**

h) **Fail to supply requested information by the given deadline.**

i) **Fail to respond to attempts by Applicant processing to contact the applicant**

j) **Fail to comply with directions and instructions of Applicant Processing.**

Applicants **removed from consideration** under this cause are eligible to reapply for subsequent entrance examinations.

9. Employment History

a) Applicants must demonstrate maturity, dependability, integrity, good work ethic, and loyalty to their past and present employers.

- The applicant's employment history from age seventeen (17) must not indicate instability in the applicant's employment history; excessive tardiness or absenteeism; inefficiency; failure to follow directions, policies and procedures, and rules and regulations; poor working relationships; or negligent work habits.

Applicants deemed unsuitable under the above cause are not eligible to reapply for a period of eighteen (18) months from the date deemed unsuitable for this cause.

b) Applicants must not have been terminated, asked to resign, or resigned from any previous employment for engaging in inappropriate or unlawful behavior, including but not limited to any of the following:

1) Theft
2) Assault
3) Threats
4) Any Felony Offense
5) Sex Crimes
6) Sexual Harassment
7) Discriminatory or Retaliatory Acts
8) Any offense involving acts of moral turpitude
9) Disorderly Conduct or other Breaches of the Peace

If an applicant violated section 1, 2, 8, or 9 of this cause, thus resulting in unsuitability, they will not be eligible to reapply for a period five (5) years from

the date of incident. If the applicant violated section 3, 4, 5, 6, or 7 of this cause, they remain permanently unsuitable.

c) Applicants must not have been employed or engaged in an illegal occupation **while seventeen (17) years of age or older.**

Applicants deemed unsuitable due to employment in an illegal occupation remain permanently unsuitable.

d) Applicants previously employed as **peace officers**, corrections officers, emergency medical technicians (any level) or **certified** fire fighters who have been terminated or asked to resign from the employing agency remain permanently unsuitable. This shall include **peace officers**, corrections officers, emergency medical technicians (any level) or **certified** fire fighters that have been terminated or asked to resign during their probationary period, but does not include applicants who are terminated or are asked to resign while attending a training academy. This does not apply to applicants who were part of a reduction in force or furlough personnel action.

10. Personal Interview and/or Behavioral Assessment Device

1) Applicants must provide evidence of suitability for the position of fire fighter as well as demonstrate their ability to effectively communicate during one or more of the following exercises:

   a. Structured Interview,
   b. Behavioral-Personnel Assessment Device, and/or a similar Behavior Assessment Device,
   c. Screening Board Interview.

2) Applicants may be provided feedback regarding the specific dimension(s) in which they were deficient, what they excelled in, and what they might do to improve their future performance. A minimum passing score will be determined by the test preparer in writing and provided to the Fire Department.

3) Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations.

11. False Statements of Material Fact

Applicants must be truthful and honest in their responses to all inquiries relative to their suitability for employment.

Applicants found to have withheld material information, and/or practiced or attempted to practice any deception or fraud in their application, examination, or appointments are deemed unsuitable.

Applicants deemed unsuitable under this cause remain permanently unsuitable.

If an applicant is deemed unsuitable for this rule based on a finding of unsuitability by another agency, the period of unsuitability will be the same as that of the originating agency.

12. Medical Examination

Applicants must be declared physically sound and free from defect which may adversely affect the performance of the duties of a fire fighter. (Reference to drug dependency/illegal drug use moved to Rule IX, 13. Use of Illicit Substances.) To this end, applicants must be certified by a licensed physician in accordance with Chapter 143 of the Texas Local Government Code to meet or exceed the physical requirements established by this Commission for the position applied for.

In accordance with Chapter 143.022, applicants deemed unsuitable under this cause may request another examination by a board of three physicians, psychiatrists, or psychologists, as appropriate, appointed by the commission. The applicant must pay for the board examination. The board's decision is final.

Applicants who fail to be certified by the board are eligible to reapply for subsequent entrance examinations.

13. Use of Illicit Substances

In order to be deemed suitable, applicants must show no trace of drug dependency or illegal drug use after a physical examination, urine test, blood test, or other medical test designed to detect the presence of controlled substances.

Applicants are deemed unsuitable if they have:

a) Used marijuana for the purpose of recreation or intoxication:

   1) Any time during the twenty-four (24) months preceding the date of examination. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

   2) More than three (3) independent times during the five (5) years preceding the

date of the examination. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

3) At any time while serving as a law enforcement officer, correction officer, security officer, or fire fighter. Applicants deemed unsuitable under this cause remain permanently unsuitable.

b) Used paint, glue or other inhalants for the purpose of intoxication

1) while the applicant was younger than seventeen (17) years of age. Applicants deemed unsuitable under this cause are not eligible to reapply for a period five (5) years from the most recent date of usage.

2) **on no more than two (2) separate occasions** while the applicant was seventeen (17) years or older. Applicants deemed unsuitable under this cause remain permanently unsuitable.

c) Used any hallucinogenic drugs, including, but not limited to LSD, STP, or Psilosybin. Applicants deemed unsuitable under this cause remain permanently unsuitable.

d) Abused or illegally used prescription medicines for the purpose of intoxication or recreation, whether prescribed to them or another person or otherwise obtained. Applicants deemed unsuitable under this cause remain permanently unsuitable.

e) Used anabolic steroids for any reason other than the treatment of a medical condition, authorized by and under the direction of a physician. Applicants deemed unsuitable under this cause are not eligible to reapply for a period of five (5) years from the date of the usage.

f) Illegally used any other substances or drugs listed in the Texas Controlled Substances Act, including but not limited to: Amphetamines, Cocaine, Methamphetamines, Opium, Barbiturates, Heroin, Morphine, Ecstasy, and Eve. Applicants deemed unsuitable under this cause remain permanently unsuitable.

If an applicant was under the age of seventeen (17) when he/she violated section C, D or F of this cause thus resulting in unsuitability, he/she will be eligible to reapply for a period five (5) years from the most recent date of usage.

14. Criminal Activity

Applicants are deemed unsuitable if they:

a) Are under indictment for a felony offense. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

b) Have a Class A, B, or C Misdemeanor charge pending against them. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

c) Are currently under investigation for, or are considered a suspect in, any criminal offense. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

d) Are on probation or parole for a criminal offense. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

e) Have an outstanding warrant for their arrest for any criminal offense. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

f) Make an admission to the commission of a Class A or B Misdemeanor which occurred within the last five (5) years while the applicant was seventeen (17) years of age or older. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

g) Are currently living with anyone who is a convicted felon. Applicants deemed unsuitable under this cause are eligible to reapply for subsequent entrance examinations when the unsuitability factor is no longer applicable.

h) Have executed a confession to a felony offense, such confession being admissible as evidence against the person in any criminal proceeding. Applicants deemed unsuitable under this cause remain permanently unsuitable.

i) Make an admission to the commission of a felony which occurred while the applicant was seventeen (17) years of age or older. Applicants deemed unsuitable under this cause remain permanently unsuitable.

j) Have permitted, condoned, or assisted in the commission of a felony offense by another which occurred while the applicant was seventeen (17) years of age or older. Applicants deemed unsuitable under this cause remain permanently unsuitable.

k) Admit to the delivery or sale of any substance listed in the Texas Controlled Substance Act. Applicants deemed unsuitable under this cause remain permanently unsuitable.

l) Have been convicted of a Possession of a Controlled Substance offense. Applicants deemed unsuitable under this cause remain permanently unsuitable.

m) Admit to or have been convicted of the offenses of Public Lewdness, Indecent Exposure, Disorderly Conduct No. 11 (Tex. Penal Code Ann. § 42.01(a)(11)), or similar offenses. Applicants deemed unsuitable under this cause remain permanently unsuitable.

n) Admit to or have been convicted of an act of family violence. Applicants deemed unsuitable under this cause remain permanently unsuitable.

15. Membership in Prohibited Organizations

Applicants are deemed unsuitable if they currently are, have belonged to, or been closely associated with:

a) Any organization which advocates the overthrow of any *level of* government *in the United States including, but not limited to, Federal, State or local*, by force or violence.

b) Any organization which advocates or engages in unlawful conduct directed at individuals or groups based upon the individual's or group's race, sex, religion, national origin, age, skin color, sexual preference, disability, or conduct otherwise commonly known as "Hate Crimes".

Applicants deemed unsuitable under this cause remain permanently unsuitable.

16. Temperate Habits

a) Applicants must demonstrate moderation and self-restraint in their personal, social, and public affairs reflecting the high standards required of a professional fire fighter. Applicants must demonstrate temperance in the use of alcohol and display emotional self-control while portraying respect for others' dignity, privacy, and property. Similarly, applicants must exhibit the absence and avoidance of extravagance, violent outbursts, and extreme partisanship. Applicants disqualified under this cause are not eligible to reapply for a period of eighteen (18) months from the date deemed unsuitable.

b) Applicants must not have anything in their personal history that would create undue liability for the City of San Antonio, or the San Antonio Fire Department, as determined by the Department Head. Applicants disqualified under this cause are not eligible to reapply for a period of eighteen (18) months from the date deemed unsuitable.

c) Applicants may also be deemed unsuitable if their suitability is marginal in three or more "cause" categories. This is applicable when such marginal suitability suggests

instability, poor decision-making, immaturity, lack of dependability or disregard for rules, regulations or laws on the part of the applicant. Applicants disqualified under this cause are not eligible to reapply for a period of eighteen (18) months from the date deemed unsuitable.

17. State Licensing Requirements

Fire applicants must meet all legal requirements necessary to become eligible for future licensing by the Commission on Fire Protection Personnel Standards and Education.

Applicants disqualified under this cause are eligible to reapply for subsequent entrance examinations.

18. Ability to Read and Write English

Applicants must demonstrate their ability to read, write, and converse in English.

Applicants disqualified under this cause are eligible to reapply for subsequent entrance examinations.

I. Request to Deem an Applicant Unsuitable

When a Department Head or his/her designee determines that such cause(s) exist which renders an applicant unsuitable for appointment to a beginning position, the Department Head or designee shall notify the Civil Service Director of such cause(s) and request that the applicant be deemed unsuitable. Such notification and request must be made in writing.

The Civil Service Director shall cause a written notice to be sent to each applicant deemed unsuitable.

Such notice shall inform the applicant of the specific rule and cause for which the applicant was deemed unsuitable, the applicant's ability to reapply for subsequent entrance examinations, and that the applicant may discuss the finding of unsuitability with the appropriate applicant processing unit.