



Professional Personnel

SUSPENSION OF PROFESSIONAL PERSONNEL

Suspension Without Pay

The superintendent, or his/her designee, is authorized to suspend, without pay, for a period not to exceed ten (10) work days, any staff member, for any one or more of the following reasons:

- Incompetency
- Cruelty
- Negligence
- Immorality
- Insubordination
- Violation of Board policy
- Behavior which is not in the best interest of the District
- Conduct which may disrupt the educational programs and process
- Conduct which violates any Illinois or federal law
- Other sufficient causes

In the absence of the superintendent, the assistant superintendent shall have the same authority under this Policy as the superintendent. Exempt administrators may only be suspended without pay for periods consisting of full work weeks.

Prior to any suspension under this policy, the affected employee shall be notified of the charges by the superintendent or his/her designee and shall have the right to explain or rebut the charges.

The superintendent or his/her designee shall then verbally advise the employee of his/her decision regarding the employee's suspension, and the employee shall be required to immediately comply with the superintendent or his/her designee's directive regarding same. As soon as practicable thereafter, the superintendent or his/her designee shall provide the employee with written confirmation of his/her decision.

Within five (5) work days of the verbal notification of the determination of the superintendent or his/her designee, the employee may file a written request with the superintendent for a review hearing before the Board as further provided herein. If the suspended employee fails to request a review of the superintendent's decision, he or she shall be deemed to have accepted the decision of the superintendent and no review by the Board shall take place.

If the superintendent or his/her designee is of the opinion that the best interests of the District require a longer suspension than the work days authorized by this policy for administrative suspension, the superintendent shall notify the Board concerning this recommendation, and the matter shall be

presented to the Board as soon as practicable. Written notice of the Board hearing to review of the superintendent's recommendation shall be provided to the employee.

The hearing regarding review of the administrative suspension and/or the recommendation for a longer suspension shall take place before the Board or before a hearing officer appointed by the Board. At the hearing, the employee shall have the right to present witnesses and proof relative to the charges. If a hearing officer is appointed by the Board, he/she shall report to the Board a written summary of the evidence presented at the hearing, his/her findings and recommendation. The Board may take such action thereon as it finds appropriate. If the Board determines that the suspension was not properly invoked, the suspension references shall be deleted from the employee's records, and the lost pay promptly paid to the employee. If the Board believes the employee's conduct warrants a longer suspension, it may extend the suspension without pay for a longer period of time as deemed appropriate under the circumstances. The Board may also take such other action as it deems appropriate, including, but not limited to, converting a portion or all of a suspension with pay to a suspension without pay, or converting a portion or all of a suspension without pay to a suspension with pay.

Nothing in this policy shall be interpreted to impair the superintendent's or Board's right to suspend an employee pending a dismissal hearing or to dismiss employees.

Suspension With Pay

The superintendent, or his/her designee, is authorized to suspend a staff member with pay upon oral or written advisement of suspension followed by or combined with a written notice sent by regular mail to the last known address of the employee or personally served upon the employee. The written notice shall include the following:

- a) A statement of the reason(s) for the suspension; and
- b) The proposed dates and duration of the suspension.

Repayment of Compensation and Benefits

If a professional employee is suspended with pay, either voluntarily or involuntarily, pending the outcome of a criminal investigation or prosecution, and the employee is later dismissed as a result of his or her criminal conviction, the employee must repay to the District all compensation and the value of all benefits received by him or her during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.

LEGAL REF.: 5 ILCS 430/5-60(b).
105 ILCS 5/24-12.
325 ILCS 5/7.4(c-10).
Cleveland Bd. of Educ. v. Loudermill, 470 U.S. 532 (1985).
Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill., 1975).
Massie v. East St. Louis Sch. District No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Educational Support Personnel - Employment Termination and Suspensions)

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