

Personnel

Suspension

The Board of Education may suspend certified staff without pay (1) pending a dismissal hearing, or (2) as a disciplinary measure for up to 10 employment days for misconduct which is detrimental to the School District.

Misconduct includes any failure to follow any oral or written directive, order or Board of Education policy or that of any supervisor. Misconduct also includes any act or failure to act that constitutes a violation or an attempt to violate any law or local ordinance which relates to the employee's duties. The Superintendent is authorized to establish rules and regulations designed to implement this policy.

Before invoking a suspension without pay, the Board will appoint a hearing officer who shall conduct a hearing and make a report to the Board. The Board shall determine whether the facts warrant suspension without pay. The Board or its designee shall notify certified staff stating the alleged charges and causes and indicating the date and time of the hearing. At the pre-suspension hearing, certified staff may have a representative present evidence.

Suspension With Pay

The Board of Education authorizes the Superintendent to suspend certified staff with pay during an investigation into allegations of disobedience or misconduct whenever the employee's continued presence in his or her position would not be in the best interests of the School District or pending a Board hearing to suspend certified staff without pay.

Certified staff shall have the right upon request, to meet with the Superintendent or designee to present his/her version of events during the suspension.

LEGAL REF.: 105 ILCS 5/24-12.
Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487,
(1985), on remand 763 F.2d 202.
Jones v. Board of Education of Township High School District No.
211, 651 F. Supp. 760 (N.D. Ill. 1986).
Barszcz v. Board of Trustees of Community College District No.
504, Cook County, 400 F. Supp. 675 (N.D. Ill. 1975).
Spinelli v. Immanuel Lutheran Evangelical Congregation, Inc., 515
N.E.2d 1222 (1987).
Kamrath v. Board of Education of School District 150, 515 N.E.2d
1222 (1987).
Massie v. East St. Louis School District No. 189, 561 N.E.2d 246
(5th Dist. 1990).
Kearns v. Board of Education of North Palos Elementary School
District No. 117, 392 N.E.2d 148 (1st Dist. 1979).

CROSS REF.:

Adopted: July 8, 1997