

PROFESSIONAL PERSONNEL**Suspension****Suspension Without Pay**

The School Board may suspend without pay (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 10 employment days for misconduct that is detrimental to the School District. Administrative staff members may not be suspended without pay as a disciplinary measure.

Misconduct that is detrimental to the School District includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor
- Violation of Board policy or Administrative Procedure
- Conduct that disrupts or may disrupt the educational program or process
- Conduct that violates any State or federal law that relates to the employee's duties
- Other sufficient causes

At the request of the professional employee within 5 calendar days of receipt of a pre-suspension notification, the Board or Board-appointed hearing examiner will conduct a pre-suspension hearing. The Board or its designee shall notify the teacher of the alleged charges and the date and time of the hearing. At the pre-suspension hearing, the teacher or his/her representative may present evidence.

Suspension With Pay

The School Board or Superintendent or designee may suspend a professional employee with pay (1) 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 School District's best interests, (2) as a disciplinary measure for misconduct that is detrimental to the School District as defined above, or (3) pending a Board hearing to suspend a teacher without pay.

The Superintendent shall meet with the professional employee to present the allegations, and give the professional employee an opportunity to refute the charges. The professional employee will be told the dates and times the suspension will begin and end.

LEGAL REF.: 105 ILCS 5/24-12.
Auer v. Robbins, 117 S.Ct. 905 (1997); 29 C.F.R. § 541.3.
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).

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