

## **Professional Personnel**

### **Suspension**

#### **Suspension Without Pay**

The Governing Board or Director may suspend a professional employee without pay: (1) pending a dismissal hearing, or (2) as a disciplinary measure for up to 10 consecutive employment days during any one school year for misconduct that is detrimental to the Cooperative.

Professional employees who are not “employed and engaged” in the activity of “imparting knowledge” (i.e. administrators) and any other exempt employees may only be suspended without pay in increments of precisely one regularly scheduled workweek (usually Monday – Friday). No professional employee shall be suspended for more than thirty (30) days of employment without pay during any school year.

Misconduct that is detrimental to the Cooperative includes:

- Insubordination, including any failure to follow an oral or written directive from a supervisor;
- Unprofessional actions, conduct or judgment;
- 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;
- Conduct that disrupts or may disrupt the educational program or process; and
- Other sufficient causes.

The Director or designee is authorized to issue a pre-suspension notification to a professional employee. This notification shall include the length and reason for the suspension as well as the deadline for the employee to exercise his or her right to appeal the suspension to the Board or Board-appointed hearing examiner. At the request of the professional employee made 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 professional employee of the date and time of the hearing. At the pre-suspension hearing, the professional employee or his/her representative may present evidence.

#### **Suspension With Pay**

The Board or Director 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 Cooperative’s best interests, (2) as a disciplinary measure for misconduct that is detrimental to the Cooperative as defined above, or (3) pending a Board hearing on recommended discipline up to and including termination.

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

#### **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.  
Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).  
Barszcz v. Community College District No. 504, 400 F.Supp. 675 (N.D. Ill., 1975).  
Massie v. East St. Louis School District No.189, 561 N.E.2d 246 (Ill.App.5, 1990).

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

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