

Professional Personnel

Suspension

For Professional Personnel covered under the “Basic Agreement between the North Boone Education Association and North Boone Community Unit School District No. 200 Board of Education”:

Suspension With Pay

~~The School Board or Superintendent or designee may suspend a professional employee/teacher with pay: (1) during an investigation into allegations of 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, or (3) pending a Board hearing to suspend a teacher without pay.~~

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

Suspension Without Pay

~~Following an investigation the School Board may suspend a professional employee/teacher without pay: (1) for just cause, (2) pending a dismissal hearing, or (3) as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District.~~

~~At the request of the professional employee/teacher 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/teacher of the alleged charges and the date and time of the hearing. At the pre-suspension hearing, the professional employee/teacher or his/her representative may present evidence.~~

~~For Professional Personnel not covered by the above agreement:~~

Suspension Without Pay

The School Board may suspend without pay: (1) a professional employee pending a dismissal hearing, or (2) a *teacher* professional employee as a disciplinary measure for up to 30 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; and
- Other sufficient causes.

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 alleged charges and 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 ~~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.

~~Any criminal conviction resulting from the investigation or allegations shall require the employee to~~
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 ~~the employee~~ *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) ~~et seq.~~

105 ILCS 5/24-12.

Cleveland Board of Education v. Loudermill, 105 S.Ct. 1487 (1985).

Barszcz v. Community College District No. 504, 400F.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)

ADOPTED: February 23, 2009

AMENDED: