

Section 5 - GENERAL PERSONNEL

5:240 Suspension

Suspension Without Pay

The Board of Education may suspend a professional employee^{ci} without pay: (1) a professional employee pending a dismissal hearing, or (2) a teacher as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District. A professional employee means a non-administrator employee who holds a professional educator license. Administrative staff members may not be suspended without pay as a disciplinary measure if doing so would cause the administrator's position to become non-exempt under the *Fair Labor Standards Act*.

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

The Superintendent, or designee, may suspend a professional employee for up to three (3) days as a disciplinary measure, or pending a recommendation for termination, without Board of Education authorization. Before invoking a suspension without pay beyond three (3) days, the Board will conduct a hearing to determine whether the facts warrant suspension without pay. The Board or its designee shall notify the teacher stating the alleged charges and causes and indicating the date and time of the hearing.

The Superintendent 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 before it is imposed. At the request of the professional employee made within five 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. If

the employee does not appeal the pre-suspension notification, the Superintendent or designee shall report the action to the Board at its next regularly scheduled meeting.

Suspension With Pay

The Board of Education 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 professional employee~~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.

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, then 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.:

[105 ILCS 5/24-12.](#)

[5 ILCS 430/5-60](#)(b), State Officials and Employee Ethics Act.

[325 ILCS 5/7.4](#)(c-10), Abused and Neglected Child Reporting Act.

[Cleveland Bd. of Educ. v. Loudermill](#), 470 U.S. 532 (1985).

Barszcz v. Cmty College Dist. No. 504, 400 F.Supp. 675 (N.D. Ill. 1975).

Massie v. East St. Louis Sch. Dist. No.189, 203 Ill.App.3d 965 (5th Dist. 1990).

CROSS REF.: 5:290 (Employment Termination and Suspensions)

PRESSPlus Comments

c1 Updated in response to a five-year review. **Issue 122, June 2026**