

Employment, Termination and Suspensions

Resignation and Retirement

An employee is requested to provide 2 weeks' notice of a resignation. A resignation notice cannot be revoked once given. An employee planning to retire should notify his or her supervisor at least 2 months before the retirement date.

Non-RIF Dismissal

The District may terminate an at-will employee at any time for any or no reason, but not for a reason prohibited by State or federal law.

Employees who are employed annually or have a contract, or who otherwise have a legitimate expectation of continued employment, may be dismissed: (1) at the end of the school year or at the end of their respective contract after being provided appropriate notice and after compliance with any applicable contractual provisions, or (2) mid-year or mid-contract provided appropriate due process procedures are provided.

The Superintendent is responsible for making dismissal recommendations to the School Board consistent with the Board's goal of having a highly qualified, high performing staff. **This includes recommending a non-licensed employee for immediate dismissal for willful or negligent failure to report an instance of suspected child abuse or neglect as required by 325 ILCS 5/.**

Reduction in Force and Recall

The Board may, as necessary or prudent, This section is applicable whenever the Board decide to decrease the number of educational support personnel or to discontinue some particular type of educational support service and, as a result of that action, is removed, dismissed, or his or her hours are reduced. dismiss or reduce the hours of one or more an educational support employees. When making decisions concerning reduction in force and recall, the Board will follow sections 10-22.34c (outsourcing non-instructional services) and 10-23.5 (procedures) of the School Code, to the extent they are applicable and not superceded by legislation or an applicable collective bargaining agreement.

~~The Board shall use a seniority list to determine the order of dismissal or~~

~~removal. The seniority list, categorized by positions, shows the length of continuing service of each full-time educational support employee. The employee with the shorter length of continuing service within the respective category of position shall be dismissed first.~~

~~Except as provided below, written notice will be given the employee by certified mail, return receipt requested, at least 30 days before the employee is removed or dismissed, or his or her hours are reduced, together with a statement of honorable dismissal and the reason therefore if applicable. The prior written notice will be extended to at least 90 days if the lay-off is due to the District entering into a contract with a third party for non-instructional services. The prior written notice will be shortened to at least 5 days before an employee's hours are reduced as a result of an unforeseen reduction in the student population.~~

~~Any vacancies for the following school term or within one calendar year from the beginning of the following school term, shall be offered to the employees so removed or dismissed from that category or any other category of position provided they are qualified to hold such positions.~~

Final Paycheck

A terminating employee's final paycheck will be adjusted for any unused, earned vacation credit. Employees are paid for all earned vacation. Terminating employees will receive their final pay on the next regular payday following the date of termination, except that an employee dismissed due to a reduction in force shall receive his or her final paycheck on or before the **next regular paydate following** ~~third business day following~~ the last day of employment.

Suspension

~~The School Board may suspend a support staff employee without pay pending a dismissal hearing or as a disciplinary measure for up to 30 employment days for misconduct that is detrimental to the School District. The Superintendent or designee may suspend an employee without pay for up to five (5) days as a disciplinary measure, or pending a recommendation for dismissal. Administrative staff members may not be suspended without pay as a disciplinary measure in increments of less than a full work week.~~

~~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.~~

~~Prior to any suspension without pay under this policy, the affected employee shall be notified in writing of the charges by the Superintendent or designee and shall have the right to explain or rebut the charges. The Superintendent or designee shall then verbally advise the employee of the decision regarding the employee's suspension, and the employee shall be required to immediately comply with the Superintendent or designee's directive regarding the suspension. As soon as practicable thereafter, the Superintendent or designee shall provide the employee with written confirmation of the decision. Prior to the Superintendent's or designee's decision regarding the employee's suspension, the employee shall continue to receive full pay.~~

~~For disciplinary suspensions issued by the Superintendent, within five (5) school days of the verbal notification of the determination of the Superintendent or designee, the suspended employee may file a written request with the Superintendent for a review hearing before the Board of Education. If the suspended employee fails to request a review of the Superintendent's or designee's decision, he or she shall be deemed to have accepted the decision and no review by the Board shall take place.~~

Suspension With Pay

~~The Board or Superintendent or designee may suspend a support staff 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 the employee without pay.~~

~~As soon as practicable, the Superintendent shall meet with the employee to present the allegations and give the employee an opportunity to refute the charges. The 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 repay to the District all compensation and the value of all benefits received by the employee during a paid or unpaid suspension.~~

Suspension

Except as provided below, the Superintendent is authorized to suspend an employee without pay as a disciplinary measure, during an investigation into allegations of misconduct or pending a dismissal hearing whenever, in the Superintendent's judgment, the employee's presence is detrimental to the District. A disciplinary suspension shall be with pay: (1) when the employee is exempt from the overtime provisions, or (2) until an employee with an employment contract for a definite term is provided a notice and hearing according to the suspension policy for professional employees. Upon receipt of a recommendation from the Ill. Dept. Children and Family Services (DCFS) that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation that relates to his or her employment with the District, the Board or Superintendent or designee, in consultation with the Board Attorney, will determine whether to:

1. Let the employee remain in his or her position pending the outcome of the investigation; or
2. Remove the employee as recommended, proceeding with:
 - a. A suspension with pay; or
 - b. A suspension without pay.

Any criminal conviction resulting from the investigation or allegations shall require the employee to repay to the District all compensation and the value of all benefits received by the employee during the suspension. The Superintendent will notify the employee of this requirement when the employee is suspended.