

Document Status: 5-Year-Review - Needs Review

Professional Personnel

5:240 Suspension

Please refer to the current "Agreement between the Board of Education, School District #74, Lincolnwood, Illinois, and the Lincolnwood Teacher's Association, Local 1274 IFT/AFT, AFL-CIO and the Lincolnwood Support Staff Union, Local 1274 IFT/AFT, AFL-CIO for additional information, if applicable."

Employees Under Investigation by Illinois Dept. of Children and Family Services (DCFS)

Upon receipt of a DCFS recommendation that the District remove an employee from his or her position when he or she is the subject of a pending DCFS investigation the Board or Superintendent, 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 temporarily as recommended by DCFS.

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.](#)

[325 ILCS 5/7.4\(c-10\).](#)

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

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

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

ADOPTED: February 2, 2012

REVISED: September 2, 2021

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