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DRAFT UPDATE

Mid-Valley Special Education Cooperative

5:290

Educational Support Personnel

Employment Termination and Suspensions

Resignation

An employee is requested to provide 2 weeks' notice of a resignation. A resignation notice cannot be revoked once given.

Retirement

Please refer to the following current Agreements:

Professional Agreement between Mid-Valley Special Education Cooperative and Mid-Valley Special Education Association (MSVEA).

Professional Agreement between Mid-Valley Special Education Cooperative and Therapy Association for Special Children (TASC).

Non-RIF Dismissal

The Cooperative 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 Executive Director is responsible for making dismissal recommendations to the Advisory Board consistent with the Board's goal of having a highly qualified, high performing staff.

Reduction in Force and Recall

Please refer to the following current Agreements:

Professional Agreement between Mid-Valley Special Education Cooperative and Mid-Valley Special Education Association (MSVEA).

Professional Agreement between Mid-Valley Special Education Cooperative and Therapy Association for Special Children (TASC).

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 pay date following the last day of employment.

Administrative Absence With Pay

Please refer to the following current Agreements:

Professional Agreement between Mid-Valley Special Education Cooperative and Mid-Valley Special Education Association (MSVEA).

Professional Agreement between Mid-Valley Special Education Cooperative and Therapy Association for Special Children (TASC).

DRAFT UPDATE

Suspension

Except as provided below, the Executive Director 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 Executive Director's judgment, the employee's presence is detrimental to the Cooperative. 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.

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

LEGAL REF.: 5 ILCS 430 et seq.
105 ILCS 5/10-22.34c and 5/10-23.5.
820 ILCS 105/4a.
~~Griggsville Perry Community Unit School Dist. No. 5 v. Illinois Educ. Labor Relations Bd., 963 N.E.2d 332 (Ill.App.4, 2013).~~

CROSS REF.: 5:240 (Professional Personnel - Suspension), 5:270 (Educational Support Personnel - Employment At-Will, Compensation, and Assignment)

ADOPTED: April 4, 2012

Commented [APowell1]: The Legal References are updated to delete case law that has been overturned. The reference to Griggsville-Perry Community Unit School Dist. No. 4 v. Illinois Educ. Labor Relations Bd. was added with PRESS Issue 88. At this time, your district has not yet responded to Issue 88; this change to the Legal References reverses the change offered in that issue.

Issue 89, August 2015