

## *Document Status: 5-Year-Review - Needs Review*

### **Professional Personnel**

#### **5:240 Suspension**

##### Suspension Without Pay and Suspension With Pay

**Please refer to the applicable collective bargaining agreement(s) or working agreement(s).**

##### 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 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 by DCFS, proceeding with:
  - a. A suspension with pay; or
  - b. A suspension without pay.

##### 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 or designee 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 Bd. 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).

CROSS REF.: 5:290 (Educational Support Personnel - Employment Termination and Suspensions)