

**Purpose**

The Board of Trustees has a duty and a responsibility to manage all facilities and personnel, pursuant to the provisions of the Illinois Public Community College Act and to adopt and enforce all necessary rules for the management and governance of the College. The Board, therefore, enacts this policy to govern discipline, including suspensions, with and without pay, of all teaching and non-teaching personnel. This policy is supplemental to the exercise of all managerial and disciplinary powers of the Board of Trustees. By its enactment, the Board does not intend to limit its express or implied authority to dismiss, transfer, withhold salary increases or otherwise discipline personnel.

**Definitions**

Misconduct shall include any refusal or failure to follow an order, direction, regulation, or policy, whether oral or written, of the Board of Trustees or of any person who has responsibility to supervise, control, or direct personnel.

Misconduct shall include:

1. Insubordination or any act or failure to act which causes, or may reasonable lead the Board of Trustees, its administrators, agents, or employees to forecast substantial disruption or material interference with the educational process or the rights of others.
2. Any act or failure to act occurring during the course of an employee's duties which jeopardizes the health, safety, and welfare of any person, student, parent, or school employee.
3. Any act or failure to act which constitutes immoral conduct of employees of the College.
4. Any act or failure to acct which constitutes a violation or an attempt to violate any federal or state law or regulation or municipal ordinance relating to the employee's duties.

**Suspensions with Pay****Grounds**

Employees may be suspended with pay from their duties or for any portion of their duties during any Board or administrative investigation of conduct which may constitute insubordination or misconduct or as may be otherwise appropriate in the best interests of the College.

## **Notification**

The President of the College or designee may suspend employees upon written or oral notice which shall specify:

1. The reason(s) for the suspension.
2. The date(s) and duration of the suspension.

If an employee is suspended upon oral notice, written confirmation of such oral notice shall be given to the employee as soon as reasonable by a letter stating the above information.

## **Pre-Suspension Meeting**

The President or designee shall meet with the employee prior to the suspension to advise the employee of the evidence supporting the suspension and provide the employee an opportunity to respond. If the President or designee cannot, for reasonable reasons, meet with the employee prior to the suspension, there shall be a meeting as soon as is reasonable after the suspension.

## **Length**

A suspension with pay shall not exceed the reasonable duration of any investigation.

## **Suspensions without Pay**

### **Grounds**

Employees may be suspended without pay from their duties or for any portion of their duties during any Board or administrative investigation of conduct which may constitute disobedience or misconduct or as may otherwise appropriate in the best interests of the College.

### **Notification**

The President of the College or designee may suspend an employee without pay upon written or oral notice which shall specify:

1. The reason(s) for the suspension.
2. The date(s) and duration of the suspension.
3. The employee's right to request a hearing to review the suspension before the Board of Trustees.

If the employee is suspended upon oral notice, written confirmation of the notice shall be given to the employee as soon as reasonable by a letter with the above information.

### **Pre-Suspension Meeting**

If, in the opinion of the President or designee, the employee does not pose an immediate threat to others or an ongoing threat of disruption to the educational process, the President or designee shall meet with the employee prior to the suspension to advise the employee of the evidence which supports the reasons for the suspension and afford the employee an opportunity to respond.

### **Review Hearing for Unpaid Suspensions**

The employee shall be granted a hearing before the Board of Trustees, or a committee thereof, to review the unpaid suspension, if the employee makes a written request for this hearing to the President within five (5) employment days of receipt of the written notice of unpaid suspension. The employee shall have the right to be represented at the hearing by legal counsel or other representative, present witnesses, and cross-examine any witness.

### **Review Hearing Procedures**

1. The hearing shall be conducted in closed session.
2. The employee may be represented by a person of the employee's choice.
3. The College officials and then the employee may make a short opening statement as to their position on the dispute.
4. The College officials shall first present their evidence in oral or written form.
5. After the College officials conclude their evidentiary presentation, the employee may present evidence to refute the charges orally or in writing.
6. Each party shall be afforded an opportunity to cross-examine all witnesses who testify and to examine all written evidence presented.
7. All relevant evidence shall be received by the Board without regard to the rules of evidence in such a manner as is appropriate in the circumstances.
8. The College officials and then the employee may make closing statements at the conclusion of the hearing.
9. The hearing may be recorded steno graphically or by tape at the direction of either party at its own expense. If either party makes a record, the other party shall be offered an opportunity to purchase a copy of the transcript or to reproduce the tape. The Board of Trustees, may uphold, modify, or reverse the unpaid suspension. If the Board reverses the unpaid suspension, the employee's lost wages will be refunded and the record expunged of any notices or material relating to the unpaid suspension.

The review hearing shall be the final review step in the disciplinary process.

Adopted:  
Amended: September 19, 2006  
Legal Ref: