**Section 51.35** **Suspension without Pay**

a) For school districts not organized under Article 34 of the School Code, *if, in the opinion of the Board, the interests of the school require it, the Board may suspend the teacher without pay, pending the hearing, but if the Board's dismissal or removal is not sustained, the teacher shall not suffer the loss of any salary or benefits*, less setoffs for mitigation, *by reason of the suspension* (Section 24-12(d)(1) and (d)(8) of the School Code).

b) For a school district organized under Article 34 of the School Code, the general superintendent or his or her designee may make the determination to suspend the tenured teacher *without pay in accordance with rules prescribed by the Board, provided that, if the teacher or principal charged is not dismissed based on the charges, he or she must be made whole for lost earnings, less setoffs for mitigation* (Section 34-85(a)(2) of the School Code).

(Source: Added at 36 Ill. Reg. 12829, effective July 25, 2012)