

**Board Policy GBKA: Professional Personnel Lay-Off**

**Status:** DRAFT

**Original Adopted Date:** 08/31/1995 | **Last Revised Date:** 09/20/2012 | **Last Reviewed Date:** 09/20/2012

**Reduction in Force**

**Professional Personnel Lay-Off**

**1. Responsibilities and Prerogatives of Board of Education**

The most important functions of the Forsyth County Board of Education are to employ personnel and manage resources within the limitations defined by the funding sources of the school system. Consequently, it shall be the prerogative of the Forsyth County Board of Education (hereinafter the "Board") to abolish job positions, to reduce the length of the work year and salary (hereinafter "to downgrade") and/or to reduce the number of employees when seeking to cope effectively with program changes or financial exigency. The Forsyth County Board of Education (hereinafter "The Board") retains the authority to manage personnel positions and financial resources in a manner consistent with its educational mission and available funding. When necessary due to financial, operational, or programmatic reasons, the Board may abolish positions, reduce work schedules or compensation, eliminate programs, or reduce the number of professional employees.

**2. Reasons for Reduction in Force (hereinafter "RIF")**

The Board shall consider a reduction in the professional workforce to include the abolition of positions, the downgrading of an employee's position, and/or the reduction of the number of employees, as a response to the following:

- a. A decrease in student enrollment; in the Forsyth County School System which would necessitate a decrease in personnel or a discontinuation of programs;
- b. A change in state or local curriculum, personnel, financial practices or which would necessitate a change in or elimination of programs or services provided by the Forsyth County School System; Changes in educational programs, curriculum, staffing needs, or operational requirements;
- c. Reductions in federal, state, local, or other funding sources; A loss of funds due to a reduction in state funds, reduction in local funds or other funds that make necessary a reduction in spending; Reductions in federal, state, local, or other funding sources.;
- d. The discontinuation or restructuring of programs or services; A lack of funding for programs, personnel, or services provided by the Forsyth County School System; or The discontinuation or restructuring of programs or services;
- e. Any reasonable reorganization plan, to include the elimination of programs or services, to achieve a more efficient and effective school district.

**3. Applicability of Policy**

Nothing in this policy shall be construed to extend to any employee substantive or procedural rights not required under state law. Specifically, nothing in this policy shall extend to professional personnel any expectation of re-employment or due process rights greater than are available under state law. This policy is not to be construed to mandate the promotion, transfer or reassignment of an employee to any other position with the Forsyth County School System, even though if the employee who is to be terminated or non-renewed may be qualified or certified for a higher or other position.

**4. RIF Procedure**

When the Superintendent of Forsyth County School System determines that the application of this reduction in force policy is necessary, it shall be his or her primary responsibility to prepare for presentation to the Board of Education a plan for reduction in force (RIF). the Superintendent or designee shall recommend a reduction in force (RIF) plan to the Board.

In proposing the plan, the Superintendent may: (1) determine the group(s) of employees to which the RIF will be applied, (2) select individuals or positions to be subject to the RIF, or (3) any combination of (1) and (2). The primary factor to be considered by the Superintendent in devising a RIF plan shall be the performance of the educator, one measure of which may be student academic performance; provided, however, that this provision

shall not apply if the board of education eliminates an entire program. Other factors to be considered may include, but shall not be limited to, the professional expertise, effectiveness, professionalism, performance of duties and responsibilities, relationship with students, parents and staff, tenure status, level of certification, fields of certification, length of continuous service with the Board, number of successful years in public education, performance of extra responsibilities, and performance of extracurricular responsibilities. In determining which employees are subject to a reduction in force, the Superintendent or designee may consider factors including, but not limited to, employee performance and effectiveness; professional qualifications, certifications, and areas of expertise; organizational and programmatic needs; the employee's ability to perform assigned duties; relevant experience and service; and any other factors deemed relevant to the efficient operation of the school district.

## 5. Notice and Hearing Procedures

If the Board accepts the recommendation of the Superintendent, the Superintendent shall notify any employee affected by the application of the plan in a manner consistent with the provisions of Georgia law and he or she shall have whatever rights the federal and state law Fair Dismissal Act provides for such employee.

When a termination or non-renewal is to be based solely on O.C.G.A. § 20-2-940(a)(6), the basis for the employment action will be the necessary reduction in staff and not the performance issue of the employee.

---