

1. RESPONSIBILITIES AND PREROGATIVES OF BOARD OF EDUCATION

Among the most important functions of the Lee 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 Lee County Board of Education (hereinafter the "Board") to abolish job positions, to reduce the length of 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.

2. REASONS FOR REDUCTION IN FORCE (HEREINAFTER "RIF")

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

- a. A decrease in student enrollment in the Lee County School System which would necessitate a decrease in personnel or a discontinuation of programs;
- b. A change in state or local curriculum, personnel, or financial practices which would necessitate a change in or elimination of program or services provided by the Lee County School System;
- c. 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;
- d. A lack of funding for programs, personnel or services provided by the Lee County School System;
- e. Any reasonable reorganization plan, including but not limited to the elimination of programs or services, to achieve a more efficient school system.

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 School District, even though the employee who is to be terminated or nonrenewed may be qualified or certified for a higher or other position.

4. RIF PROCEDURE

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

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 Fair Dismissal Act provides for such employee.

When a termination or nonrenewal 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.