

**RESPONSIBILITIES AND PREROGATIVES OF THE BOARD OF CONTROL**

The most important functions of the Okefenokee RESA Board of Control are to employ personnel and manage resources within the Okefenokee RESA Board of Control (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.

**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 of employees, as a response to the following:

1. A decrease in student enrollment in the RESA programs which would necessitate a decrease in personnel or a discontinuation of programs;
2. 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 RESA;
3. 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;
4. A lack of funding for programs, personnel, or services provided by the RESA;
5. Any reasonable reorganization plan, to include the elimination of programs or services, to achieve a more efficient RESA.

**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 RESA, even though the employee who is to be terminated or non-renewed may be qualified or certified for a higher or other position.

**RIF PROCEDURE**

When the Executive Director 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 Control a plan for the reduction in force (RIF).

In proposing the plan, the Executive Director 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 Executive Director in devising a RIF plan shall be the performance of the educator, one measure of which may be student academic

**Adopted: August 23, 2017**

performance; provided, however, that this provision shall not apply if the RESA 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 RESA, number of successful years in public education, performance of extra responsibilities.

**NOTICE AND HEARING PROCEDURES**

If the Board accepts the recommendation of the Executive Director, the Executive Director 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 necessary reduction in staff and not the performance issue of the employee.

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**Note:** The State of Georgia has moved the Georgia Code. This new environment no longer allows us to link directly to the Georgia Code. For example enter 20-02-0211 in the search window and the Georgia Code will appear.

<b>State Reference</b>	<b>Description</b>
O.C.G.A. 20-02-0940	<a href="#"><u>Grounds/procedure for terminating or suspending contract of employment</u></a>
O.C.G.A 20-02-0942	<a href="#"><u>Nonrenewal after acceptance of 4th consecutive contract; tenure</u></a>
O.C.G.A 20-02-0943	<a href="#"><u>Powers of LBOE under Fair Dismissal Act</u></a>
O.C.G.A 20-02-0948	<a href="#"><u>Reduction in Force Policies</u></a>
O.C.G.A. 20-02-0211	<a href="#"><u>Annual contract; disqualifying acts; job descriptions</u></a>
Rule 160-5-1-.37	<a href="#"><u>Teacher and Leader Evaluations</u></a>

---

**Adopted: August 23, 2017**