

GAKA Reduction in Force

7/19/12

The Cobb County Board of Education (Board) recognizes the critical importance of having adequate numbers of personnel to accomplish the missions of the Cobb County School District (District). Concurrent with the Board's responsibility is the right of the Board to institute a reduction in force under certain circumstances. A central goal of any Reduction in Force (RIF) plan will be to retain the most qualified personnel in each position category affected.

This RIF policy shall apply to all personnel employed by the District, but 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 the Fair Dismissal Act of Georgia. This policy is not to be construed to mandate the promotion, transfer or reassignment of an employee to any other position with the District, even though the employee who is to be terminated may be qualified or certified for a higher or other position.

When the Superintendent 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).

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 must be the performance of the employee. Although length of service may also be considered it may not be the primary or sole determining factor. However, these restrictions shall not apply if an entire program is eliminated (see O.C.G.A. § 20-2-948).

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's Fair Dismissal Act and he or she shall have whatever rights the Fair Dismissal Act provides for such employee.

Adopted: 7/19/12

Legal Reference

O.C.G.A. 20-02-1160	LBOE tribunal power to determine local school controversies; appeals; special ed provisions
O.C.G.A. 20-02-0211	Annual contract; disqualifying acts; fingerprinting; criminal record checks
O.C.G.A. 20-02-0940	Grounds/procedure for terminating or suspending contract of employment (Fair Dismissal law)
O.C.G.A. 20-02-0942	Nonrenewal after acceptance of 4th consecutive contract; tenure
O.C.G.A. 20-02-0943	Powers of LBOE under fair dismissal act
O.C.G.A. 20-02-0948	Fair Dismissal
O.C.G.A. 34-07-0001	Determination of term of employment