

**2023 -- S 0020 SUBSTITUTE A**

LC000672/SUB A

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2023**

**A N A C T**

**RELATING TO EDUCATION -- TEACHERS' RETIREMENT**

Introduced By: Senators Valverde, Pearson, DiMario, Acosta, Zurier, DiPalma, and Gu

Date Introduced: January 18, 2023

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Chapter 16-16 of the General Laws entitled "Teachers' Retirement [See Title  
2   16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby amended by adding thereto  
3   the following section:

4           **16-16-24.2. Substitute teaching and post-retirement employment related to statewide**  
5   **staffing.**

6           (a) Notwithstanding any public or general law, or rule or regulation to the contrary, any  
7   teacher, administrator, or staff member who has retired under the provisions of title 16, 36, or 45  
8   may exceed the ninety (90) day cap on post-retirement employment upon:

9           (1) A determination by the local education authority that there exists a specialized need,  
10   within their authority, to fill positions on a temporary basis, that may exceed the ninety (90) day  
11   cap on post-retirement employment;

12           (2) Retired teachers, administrators, and staff members being asked to exceed the ninety  
13   (90) day cap on post-retirement employment possess the skills, training, and knowledge necessary  
14   to help address teacher and administrative staffing shortages; and

15           (3) The local education authority has notified the state retirement board that it has  
16   determined that exceeding the ninety (90) day cap on post-retirement employment is necessary to  
17   help address teacher and administrative staffing shortages.

18           Provided, however, that no employment may be offered to a retiree subject to this section  
19   unless the employer has made a good-faith effort each school year to fill the position with a

1 nonretired employee without success, and certifies, in writing, that it has done so to the employees'  
2 retirement system and to the bargaining agents of all education unions with whom the employer  
3 has collective bargaining agreements.

4 (b) Any teacher, administrator, or staff member who has retired under the provisions of  
5 title 16, 36, or 45, and has been employed or re-employed under the provisions of this section, shall  
6 not be entitled to additional service credits for such employment.

7 (c) Unless extended by the general assembly, this section shall sunset on June 20, 2024.

8 SECTION 2. This act shall take effect upon passage and sunset on June 20, 2024.

=====  
LC000672/SUB A  
=====

EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- TEACHERS' RETIREMENT

\*\*\*

1           This act would add a section which allows substitute teachers and post-retirement  
2 employees to exceed the ninety (90) day cap on post-retirement employment if certain conditions  
3 are met.

4           This act would take effect upon passage and sunset on June 20, 2024.

=====  
LC000672/SUB A  
=====