

2025 -- S 1048 AS AMENDED

LC002855

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Introduced By: Senators Britto, DiPalma, Sosnowski, Gu, Bissailon, and Patalano

Date Introduced: May 09, 2025

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 **16-16-24.3. Substitute teaching and post-retirement teachers.**

5 (a) Notwithstanding any public or general law, or rule or regulation to the contrary, and
6 except as provided in subsection (c) of this section, any teacher member who has retired under the
7 provisions of Title 16 ("education") may exceed the ninety-day (90) cap on post-retirement
8 employment and work up to one hundred eighty (180) days during a school year upon:

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

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

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

18 (i) No employment may be offered to a retiree subject to this section unless the employer
19 has made a good-faith effort each school year to fill the position with a nonretired employee without

1 success, and certifies, in writing, that it has done so to the employees' retirement system and to the
2 bargaining agents of all education unions with whom the employer has collective bargaining
3 agreements:

4 (ii) The LEA provides in its notice to the state retirement board and the bargaining agents
5 the total number of certified teacher positions within the LEA, including the number of teacher
6 positions filled and the number of teacher positions the LEA is seeking to fill; and

7 (iii) The total number of retired teachers an LEA may hire under the provisions of this
8 section may not exceed five percent (5%) of the total number of certified teacher positions reported
9 to the state retirement board by the LEA pursuant to subsection (a)(3)(ii) of this section.

10 (b) Any teacher member who has retired under the provisions of title 16, and has been
11 employed or re-employed under the provisions of this section, shall not be entitled to additional
12 service credits for such employment, and the teacher member shall not be responsible for any
13 contribution to the pension system as a result of the employment; provided, however, the local
14 educational authority shall make the employer contribution for the teacher member as if the district
15 had hired a new teacher member.

16 (c) A teacher retired under the provisions of title 16 shall be subject to a ninety-day (90)
17 cap on post-retirement employment during the period of one year after the date of that teacher's
18 retirement. Thereafter, that teacher shall be eligible to exceed the ninety-day (90) day cap on post-
19 retirement as provided in subsection (a) of this section.

20 (d) The provisions of this section shall apply retroactively to June 20, 2025, and shall sunset
21 one year from enactment or on August 1, 2026, whichever shall occur first.

22 SECTION 2. This act shall take effect upon passage and shall be retroactive to June 20,
23 2025.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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RELATING TO EDUCATION -- TEACHERS' RETIREMENT

- 1 This act extends the sunset provision allowing retired teachers to substitute teach in excess
- 2 of 90 days. The sunset provision is extended from June 20, 2025 until July 1, 2026.
- 3 This act would take effect upon passage.

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