

2026 -- H 8170

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Introduced By: Representatives O'Brien, Shallcross Smith, Solomon, Alzate, Baginski,
Furtado, Voas, Serpa, Biah, and Dawson

Date Introduced: February 27, 2026

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-16-24.3 of the General Laws in Chapter 16-16 entitled "Teachers'
2 Retirement [See Title 16 Chapter 97 — The Rhode Island Board of Education Act]" is hereby
3 amended to read as follows:

4 **16-16-24.3. Substitute teaching and post-retirement teachers. [Expires June 26, 2026]**

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

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

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

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

19 ~~(1) No~~ no employment may be offered to a retiree subject to this section unless the employer

1 has made a good-faith effort each school year to fill the position with a nonretired employee without
2 success, and certifies, in writing, that it has done so to the employees' retirement system and to the
3 bargaining agents of all education unions with whom the employer has collective bargaining
4 agreements;

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

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

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

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

21 ~~(d)~~(c) The provisions of this section shall apply retroactively to June 20, 2025, and shall
22 sunset ~~one year from enactment or~~ on August 1, ~~2026~~ 2027, ~~whichever shall occur first.~~

23 SECTION 2. This act shall take effect upon passage.

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

1 This act would restore the rights of school administrators and staff members, who have
2 retired, to exceed the ninety- (90) day cap on post-retirement employment and work up to one
3 hundred eighty (180) days during a school year. The provisions of the act would sunset on August
4 1, 2027.

5 This act would take effect upon passage.

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