

2016 -- H 7106

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LC003397
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

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A N A C T

RELATING TO EDUCATION - TEACHERS' RETIREMENT

Introduced By: Representatives Hearn, Ruggiero, Marcello, Malik, and Fogarty

Date Introduced: January 08, 2016

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-16-24 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. Substitute teaching and employment after retirement.** -- (a) Any teacher or
5 athletic coach certified pursuant to chapter 11.1 of this title who has retired under the provisions
6 of any law of this state may substitute as a teacher at state schools and in the public schools of
7 this state. The total compensation of the substitute shall be limited to fifteen thousand dollars
8 (\$15,000) in any one school year ~~for a period of no more than ninety (90) days in any one school~~
9 ~~year~~ without any forfeiture of or reduction in the retirement benefits and allowances the teacher is
10 receiving or may receive as a retired teacher. Notice of the employment shall be sent monthly to
11 the state retirement board by the school committee employing the teacher and by the employer
12 and by the retired teacher at the end of each teaching assignment.

13 (b) Any teacher or athletic coach certified pursuant to chapter 11.1 of this title who has
14 retired under the provisions of any law of this state may be employed to fill a vacant position
15 (including, but not limited to, employment as a tutor, mentor principal or mentor assistant
16 principal) by any state school or public school of this state for a period of no more than ninety
17 (90) days in any one school year without any forfeiture of or reduction in the retirement benefits
18 and allowances he or she is receiving or may receive as a retiree. Notice of the employment shall
19 be sent monthly to the state retirement board by the employer and by the retired teacher.

1 Provided, however, that no employment may be offered to a retiree subject to this section after
2 July 1, 2002, unless the employer has made a good faith effort each school year to fill the position
3 with a nonretired employee without success, and certifies in writing that it has done so to the
4 employees' retirement system, and to the bargaining agents of all education unions with whom the
5 employer has collective bargaining agreements.

6 (c) Any retired teacher or athletic coach may be employed pursuant to ~~subsections (a)~~
7 ~~and~~ subsection (b) of this section, but in no event shall employment exceed ninety (90) days.

8 (d) The calculation of the ninety (90) day period in any one school year shall be
9 determined by either of the following methods:

10 (1) Three (3) hours shall constitute a half day and the number of half days shall be
11 limited to one hundred eighty (180) half days which shall be the equivalent of ninety (90) full
12 days; or

13 (2) Each period per day shall constitute one-fifth (1/5) of a teaching day. Any teacher
14 hired to teach two (2) periods per day shall be deemed to have worked seventy-two (72) full days
15 per year. The computation is two-fifths times one hundred eighty ($2/5 \times 180$) school days per
16 year which shall be equivalent to seventy-two (72) full days per year.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
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1 This act would limit the earnings of retired teachers or athletic coaches working as
2 substitute teachers to fifteen thousand dollars (\$15,000) per school year without any forfeiture of
3 or reduction in retirement benefits. This replaces the limitation of ninety (90) days in any school
4 year.

5 This act would take effect upon passage.

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