

2017 -- H 5745

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LC001935  
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2017

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A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Introduced By: Representatives Bennett, Blazejewski, Slater, O`Grady, and Kazarian

Date Introduced: March 01, 2017

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.**

5 (a) Any teacher or athletic coach certified pursuant to chapter 11.1 of this title, who has  
6 retired under the provisions of any law of this state, may substitute as a teacher at state schools  
7 and in the public schools of this state for a period of no more than ~~ninety (90)~~ one hundred (100)  
8 days in any one school year without any forfeiture of, or reduction in, the retirement benefits and  
9 allowances the teacher is receiving, or may receive, as a retired teacher. Notice of the  
10 employment shall be sent monthly to the state retirement board by the school committee  
11 employing the teacher and by the employer and by the retired teacher at the end of each teaching  
12 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)~~ one hundred (100) days in any one school year without any forfeiture of, or reduction in, the  
18 retirement benefits and allowances he or she is receiving, or may receive, as a retiree. Notice of  
19 the employment shall be sent monthly to the state retirement board by the employer and by the

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

6 (c) Any retired teacher or athletic coach may be employed pursuant to subsections (a) and  
7 (b), but in no event shall employment exceed ~~ninety (90)~~ one hundred (100) days.

8 (d) The calculation of the ~~ninety~~ one hundred -day ~~(90)~~ one hundred (100) period in any  
9 one school year shall be 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 limited  
11 to ~~one hundred eighty (180)~~ two hundred (200) half days, which shall be the equivalent of ~~ninety~~  
12 ~~(90)~~ one hundred (100) full 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)~~ eighty  
15 (80) full days per year. The computation is two-fifths times ~~one hundred eighty (2/5 x 180)~~ two  
16 hundred (2/5 x 200) school days per year, which shall be equivalent to ~~seventy two (72)~~ eighty  
17 (80) full days per year.

18 (e) Any retired member of the employees retirement system of Rhode Island under title  
19 36 or 45, who is certified as a substitute teacher, may substitute as a teacher at state schools and  
20 in the public schools of this state for a period of no more than ~~ninety (90)~~ one hundred (100) days  
21 in any one school year without any forfeiture of, or reduction in, the retirement benefits and  
22 allowances the substitute teacher is receiving, or may receive, as a retiree under any title. The  
23 other provisions of subsections (b) through (d) shall also be deemed to apply.

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

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
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- 1           This act would increase the number of days a retired teacher may substitute teach or be
- 2 otherwise employed by a school system from ninety (90) days to one hundred (100) days without
- 3 a reduction or forfeiture of retirement benefits.
- 4           This act would take effect upon passage.

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