

2023 -- S 0085

LC000774

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT (SEE TITLE 16 CHAPTER 97 -
- THE RHODE ISLAND BOARD OF EDUCATION ACT)

Introduced By: Senators Britto, Lawson, and Cano

Date Introduced: February 01, 2023

Referred To: Senate 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 and
7 in the public schools of this state for a period of no more than ~~ninety (90)~~ one hundred twenty (120)
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 employment
10 shall be sent monthly to the state retirement board by the school committee employing the teacher
11 and by the employer and by the retired teacher at the end of each teaching assignment.

12 (b) Any teacher or athletic coach certified pursuant to chapter 11.1 of this title, who has
13 retired under the provisions of any law of this state, may be employed to fill a vacant position
14 (including, but not limited to, employment as a tutor, mentor principal, or mentor assistant
15 principal) by any state school or public school of this state for a period of no more than ~~ninety (90)~~
16 one hundred twenty (120) days in any one school year without any forfeiture of, or reduction in,
17 the retirement benefits and allowances he or she is receiving, or may receive, as a retiree. Notice
18 of 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 fill
3 the position with a nonretired employee without success, and certifies, in writing, that it has done
4 so to the employees' retirement system and to the bargaining agents of all education unions with
5 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 twenty (120) days.

8 (d) The calculation of the ~~ninety-day (90)~~ one hundred twenty (120) period in any one
9 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) half days, which shall be the equivalent of ninety (90) full days; or

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

16 (e) Any retired member of the employees retirement system of Rhode Island under title 36
17 or 45, who is certified as a substitute teacher, may substitute as a teacher at state schools and in the
18 public schools of this state for a period of no more than ~~ninety (90)~~ one hundred twenty (120) days
19 in any one school year without any forfeiture of, or reduction in, the retirement benefits and
20 allowances the substitute teacher is receiving, or may receive, as a retiree under any title. The other
21 provisions of subsections (b) through (d) shall also be deemed to apply.

22 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 (SEE TITLE 16 CHAPTER 97 -
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- 1 This act would increase the maximum amount of days a retired teacher and athletic coach
- 2 may substitute teach from 90 days to 120 days.
- 3 This act would take effect upon passage.

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