

2025 -- H 5279

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

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A N A C T

RELATING TO EDUCATION -- TEACHERS RETIREMENT

Introduced By: Representatives Donovan, Messier, Casimiro, McNamara, Fogarty, Biah,  
Speakman, Furtado, Stewart, and Giraldo

Date Introduced: January 31, 2025

Referred To: House Finance

It is enacted by the General Assembly as follows:

1           SECTION 1. Section 16-16-5 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           **16-16-5. Service creditable.**

5           (a) In calculating "service", "prior service", or "total service" as defined in § 16-16-1, every  
6 teacher shall be given credit for a year of service for each year in which he or she shall have served  
7 as a teacher; provided, that any teacher who through illness or leave of absence without pay does  
8 not serve a full school year may receive credit for a full school year of service by paying the full  
9 actuarial cost as defined in § 36-8-1(9). Credit for leaves of absence shall be limited, in the  
10 aggregate, during the total service of a teacher to a period of four (4) years; provided, however,  
11 every teacher who had been required to resign for maternity reasons may receive credit for  
12 maternity reasons by making contribution to the system upon her return to teaching the amount she  
13 would have contributed to the retirement system, with regular interest, based upon her expected  
14 compensation but for her absence due to maternity reasons.

15           (b) The retirement board shall fix and determine the time when and the conditions under  
16 which the payments shall be made.

17           (c) Any teacher who serves or who has served during a school year the number of days that  
18 the public schools are required by law to be in session during the year shall be given credit for a  
19 year of service for that year. [A teacher who takes an unpaid parental or medical leave during the](#)

1 year shall be given credit for a year of service for that school year, provided they serve at least one-  
2 hundred thirty-five (135) school days. In determining the number of days served by a substitute  
3 teacher the total number of days served in any public school of any city or town in the state may be  
4 combined for any one school year. Any teacher shall be entitled to “prior service” credit for service  
5 prior to July 1, 1949, provided the teacher shall have been in service during the school year 1949-  
6 1950. The teacher shall be entitled to service credit for any year subsequent to July 1, 1949 in  
7 accordance with this chapter, by making contribution to the retirement system of the full actuarial  
8 cost for any such service credit.

9 (d) Any teacher employed in at least a half (½) program including a job share program, or  
10 working at least half the number of days that the public schools are required to be in session, shall  
11 remain a contributing member and shall receive credit for that part-time service on a proportional  
12 basis. The purchase of any remaining program or job share time in which the teacher did not work  
13 shall not be permitted.

14 (e) In computing service or in computing compensation, the retirement board shall credit  
15 no more than one year of service on account of all service in one calendar year.

16 (f) Notwithstanding any other section of law, no member of the retirement system shall be  
17 permitted to purchase service credit for any portion of a year for which he or she is already receiving  
18 service credit in this retirement system.

19 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

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- 1           This act would amend the current law on teacher's creditable service so that a teacher who
- 2   takes an unpaid parental or medical leave during the year would be given credit for a year of service
- 3   for that school year if they served a minimum of one-hundred thirty-five school days.
- 4           This act would take effect upon passage.

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