

2025 -- H 5322

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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 [SEE TITLE 16 CHAPTER 97 -
- THE RHODE ISLAND BOARD OF EDUCATION ACT]

Introduced By: Representatives O'Brien, Dawson, McNamara, Slater, Diaz, Solomon,
Kazarian, J. Brien, Hull, and J. Lombardi

Date Introduced: February 05, 2025

Referred To: House Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-16-24.2 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 **16-16-24.2. Substitute teaching and post-retirement employment related to statewide**
5 **staffing.**

6 (a) Notwithstanding any public or general law, or rule or regulation to the contrary, any
7 teacher, administrator, or staff member who has retired under the provisions of title 16, 36, or 45
8 may exceed the ninety-day (90) cap on post-retirement employment upon:

9 (1) A determination by the local education authority that there exists a specialized need,
10 within their authority, to fill positions on a temporary basis, that may exceed the ninety-day (90)
11 cap on post-retirement employment;

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

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

18 Provided, however, that no employment may be offered to a retiree subject to this section

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

5 (b) Any teacher, administrator, or staff member who has retired under the provisions of
6 title 16, 36, or 45, and has been employed or re-employed under the provisions of this section, shall
7 not be entitled to additional service credits for such employment, and the teacher, administrator, or
8 staff member shall not be responsible for any contribution to the pension system as a result of the
9 employment; provided, however, the local educational authority shall make the employer
10 contribution for the teacher, administrator, or staff member as if the district had hired a new teacher,
11 administrator, or staff member.

12 (c) This section shall become effective on June 21, 2024, and unless extended by the
13 general assembly, this section shall sunset on ~~June 20, 2025~~ [July 1, 2026](#).

14 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 -
- THE RHODE ISLAND BOARD OF EDUCATION ACT]

- 1 This act extends the sunset provision allowing retired teachers to substitute teach in excess
- 2 of 90 days. The sunset provision is extended from June 20, 2025 until July 1, 2026.
- 3 This act would take effect upon passage.

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