

PERSONNEL

5750

Policy Title: Employing Retired Teachers and Administrators

One of the Board's personnel goals is to recruit, select, and employ the best qualified personnel to staff the schools within the District. As such, retired employees who leave the District in good standing may be re-employed as a "Return to Work" employee according to the following guidelines:

1. The District may employ a person previously employed as a school district or charter school instructional, pupil service, or other certificated staff member, certificated teachers ~~and or~~ administrators ~~any school district or charter school instructional, pupil service, or other certificated staff~~, who ~~is~~are receiving retirement benefits from the public employee retirement system of Idaho (PERSI) for positions requiring such certification provided such individuals ~~were~~ was not promised "rehire" by the District before their retirement was in effect. ~~Said-These~~ employees are ~~hereinafter~~ referred to below as "retiree" or "retirees".

In addition, effective until June 30, 2026, the District may hire individuals who retired from any PERSI-eligible employer, so long as the individual retired on or after age 55, and so long as the individual acknowledges they may not accrue additional retirement benefits. All such employment under Idaho 59-1356(5) must end on or before June 30, 2026.

These employees are considered to be employed "at-will" and in accordance with the Standard Retired Teacher Contract or Standard Retired Administrator Contract form that has been approved by the State Superintendent of Public Instruction and which expires at the end of every school year.

- ~~1.2~~ Any employment contract between the District and retirees shall be separate and apart from the collective bargaining agreement or master agreement between the District and the local teachers association.
- ~~2.3~~ Retirees employed consistent with this policy and State law shall accrue one day per month of sick leave. No annual sick leave shall be accumulated unless additional sick leave has been negotiated between each individual retiree and the District at the time of employment. Sick leave accrued by a retired employee under Idaho Code § 33-1004H does not qualify for unused sick leave benefits under Idaho Code § 33-1228.
- ~~3.4~~ The District ~~[will OR will not]may~~ provide health insurance and life insurance benefits for retirees hired consistent with this policy.

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4.5 The District shall not employ certificated teachers and administrators who receive or received benefits under the previously existing early retirement program provided in now repealed Idaho Code 33-1004G.

5.6 Retirees who qualify to be rehired are those who:

- A. Have reached the Rule of 90;
- B. Are not participating in the early retirement program;
- C. Are retired at or after 60 years of age;
- D. Have never received a “promise of rehire” before their retirement date;
- E. Have received at least one payment from their PERSI retirement account; and
- F. Meet all conditions and requirements of PERSI to qualify for this program, as such may change from time to time.

7. Any year in which a retired teacher or administrator is hired, the Superintendent shall sign a form to be retained by the District in the employee’s personnel file attesting that:

- A. Any retired teachers or administrators have been employed using the standard retired teacher or retired administrator contract, as appropriate;
- B. The length of any such contract is one year; and
- C. Rehire was not agreed to between the teacher or administrator and the District prior to retirement.

Cross Reference:	5100	Hiring Process and Criteria
Legal References:	<u>I.C. § 59-1302</u>	<u>Definition – School Employee</u>
	<u>I.C. § 59-1356</u>	<u>Reemployment of Retired Members</u>
	<u>I.C. § 33-513</u>	District Trustees – Professional Personnel
	<u>I.C. § 33-1004H</u>	Employing Retired Teachers and Administrators
	<u>I.C. § 33-1228</u>	Teachers - Severance Allowance at Retirement
	<u>I.C. § 18-1356</u>	Gifts To Public Servants By Persons Subject To Their Jurisdiction

Policy History:

Adopted on:
Revised on:
Reviewed on: