

CELINA INDEPENDENT SCHOOL DISTRICT

A RESOLUTION OF THE BOARD OF TRUSTEES OF THE CELINA INDEPENDENT SCHOOL DISTRICT (“CELINA ISD”) RELATED TO THE HIRING OF RETIRE/REHIRE EMPLOYEES

WHEREAS, the Celina ISD desires to hire the most qualified individuals for positions with the Celina ISD;

WHEREAS, the 79th Texas Legislature, pursuant to SB 1691, adding Texas Government Code §825.4092 and amending Texas Insurance Code §1575.204 and the TRS Emergency Rules effective September 1, 2005, codified at 34 TAC §31.41 and 34 TAC §41.4 (the “Legislation”), added significant financial obligations (the “Surcharges”) for Texas public school districts including the Celina ISD, with regard to TRS-retired employees who are hired by Celina ISD (“retire/rehire employees”).

WHEREAS, the present state of the budget of Celina ISD requires financial cut-backs and savings measures to provide the necessary services for Celina ISD students as required by state and federal law;

WHEREAS, personnel expenditures of the Celina ISD are subject to cut-backs and savings measures presently being implemented by Celina ISD;

WHEREAS, Surcharges mandated by the Legislation may result in higher personnel costs to employ persons who are subject to the Surcharges as compared to potential employees who are not subject to the Surcharges;

WHEREAS, the personnel budget for Celina ISD is “fixed” and, due to expected revenues, cannot be increased;

WHEREAS, due to the “fixed” budget, the Celina ISD is not in a financial position to offer compensation to retire/rehire employees that exceeds the compensation offered to other employees in similar positions who are not subject to the Surcharges; and

WHEREAS, due to the “fixed budget” and the financial burden created by the Surcharges the Celina ISD is presently unable to hire retire/rehire employees if the imposition of the Surcharges results in a higher cost to the Celina ISD to hire retire/rehire employees.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE CELINA INDEPENDENT SCHOOL DISTRICT:

1. The above premises are found to be true and correct and are hereby incorporated into the text of this Resolution.

2. The Board, due to the financial burden created by the Surcharges, reluctantly resolves to hire persons who are not subject to the Surcharges, if the Surcharges result in higher employment costs to hire a retire/rehire employee.
3. This Resolution does not apply to retire/rehire employees subject to the Surcharges who can be employed with the Celina ISD at a salary that does not result in higher employment costs to the Celina ISD.
4. That this Resolution shall become effective from and after its date of passage in accordance with the law.

PASSED AND APPROVED by the Board of Trustees of Celina Independent School District this __ day of _____ 2010.

Shelby Barley, President
Board of Trustees
Celina Independent School District

ATTEST:

Lance Haynes, Vice President
Celina Independent School District

[Seal]

APPROVED AS TO FORM:

Notary