

# REFERENCE COPY

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## EXPLANATION: RETIREMENT OF PROFESSIONAL STAFF MEMBERS

MSBA recommends that districts RESCIND this policy and instead adopt policy GBAC. A majority of this policy had nothing to do with the actual retirement of employees and instead focused on the circumstances when persons who are receiving retirement benefits under a Missouri education retirement system may be employed or re-employed by the district. The state statutes and regulations regarding employment of retirees have gotten quite complicated. MSBA has decided to remove the details from the policy and instead refer districts to the four retirement systems, which do an excellent job of communicating the rules to both retirees and school districts.

The district's custom language in this policy regarding Illness Days Buy-Back is also covered in policy GCBDA (Professional Staff Short-Term Leaves), so it does not need to be moved elsewhere.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>				
	Board Secretary	X	Business Office	Coaches/Sponsors
	Facility Maintenance		Food Service	Gifted
X	Human Resources	X	Principals	Library/Media Center
	Health Services		Counselor	Special Education
X	Transportation		Public Info/Communications	Technology

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## ~~RETIREMENT OF PROFESSIONAL STAFF MEMBERS~~

~~Professional staff members shall be participants in the Public School Retirement System (PSRS) of the State of Missouri or in the Public Education Employee Retirement System (PEERS) as allowed by law. A retired employee, as well as his or her dependents, surviving spouse and children, shall be allowed to remain or become members in non-insurance health benefit programs, self-funded plans and insured plans by qualifying for the coverage in the manner prescribed by law under the provisions of such plan and paying the premiums of said plans.~~

~~Persons engaged by the district as independent contractors, including consultants, are not by virtue of such engagement considered employees of the district for purposes of membership or contribution to PSRS or PEERS.~~

~~Any person retired and currently receiving a retirement allowance other than for disability may be employed in any capacity on either a part-time or temporary-substitute basis not to exceed a total of 550 hours in any one school year, and through such employment, may earn up to 50 percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance.~~

~~If the position in question is not subject to the district's salary schedule, a retiree employed may earn up to 50 percent of the annual compensation paid to the person or persons who last held such position or positions. If the position or positions did not previously exist, the compensation limit shall be determined in accordance with rules of the board of trustees of the retirement system; provided that, it shall not exceed 50 percent of the annual compensation payable for the position in the school district that is most comparable to the position filled by the retiree.~~

~~In any case where a retiree fills more than one position during the school year, the 50 percent limit on permitted earnings shall be based on the annual compensation of the highest paid position occupied by the retiree for at least one-fifth of the total hours worked during the year. Such a person shall not contribute to the retirement system or to PEERS because of earnings during such period of employment. If such a person is employed in any capacity by such a district on a regular, full-time basis, he or she shall not be eligible to receive his or her retirement allowance for any month during which he or she is so employed and shall contribute to the retirement system.~~

~~Any person retired and currently receiving a retirement allowance from either PSRS or PEERS, other than for disability, who elects to return to work in an employment capacity covered by either of the aforementioned retirement systems, shall undertake such service under a new membership in the applicable system.~~

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~~Contributions shall be made to the retirement system for any covered employment under the new membership at the same time and in the same manner as contributions are made for covered employment generally.~~

### ~~Illness Days Buy-Back~~

~~Upon retirement from the district or upon death while a current employee but eligible for retirement from the district, employees are eligible for remuneration for all appropriate accumulated paid leave up to the maximum amount allowed by this policy. Certified staff employees' remuneration for accumulated leave upon retirement shall be at the rate of 25 percent of their daily rate of pay. The daily rate of pay is formulated upon the employee's base pay without extra duty compensation.~~

~~Pay for accumulated sick leave shall be paid only upon recognized retirement by state and federal retirement systems.~~

~~Employees who retire because of disability are entitled to full sick leave pay.~~

~~Payout shall be prorated for employees working less than full time, based on scheduled hours at the time of retirement.~~

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***Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.***

~~Adopted: 02/12/2007, eff. 07/01/2007~~

~~Revised: 07/18/2016; 02/13/2017~~

~~Legal Refs: §§ 169.010 - .130, .270 - .400, .560 - .596, .600 - .712, RSMo.  
Age Discrimination in Employment Act, 29 U.S.C. §§ 621- 634~~

~~Raytown C-2 School District, Raytown, Missouri~~