

BOARD AGENDA ITEM

May 23, 2023

SUBJECT:

Revision of the following policy:

Policy GCQE Retirement of Professional Staff, Second Reading
Policy GDQC Retirement of Support Staff, Second Reading

BACKGROUND INFORMATION:

Policy GCQE Retirement of Professional Staff and Policy GDQC Retirement of Support Staff provide guidance to district employees regarding retirement procedures.

ADMINISTRATIVE CONSIDERATION:

Administration reviewed Policy GCQE Retirement of Professional Staff and Policy GDQC Retirement of Support Staff in relation to The South Carolina School Board Association recommendations. Administration recommends the recommended revision of Policy GCQE Retirement of Professional Staff and Policy GDQC Retirement of Support Staff to ensure alignment with South Carolina Law.

RECOMMENDATION:

Approve the following policy:

Policy GCQE Retirement of Professional Staff, Second Reading
Policy GDQC Retirement of Support Staff, Second Reading

ATTACHMENTS:

Policy GCQE Retirement of Professional Staff, Second Reading
Policy GDQC Retirement of Support Staff, Second Reading

PREPARED BY:

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RETIREMENT OF PROFESSIONAL STAFF

Code **GCQE** Issued **11/015/23**

Purpose: To establish the basic structure for the retirement of professional staff in a manner that will have a minimum amount of impact on the district's instructional program.

~~Any school district employee who is a member of the South Carolina Retirement System may retire with full benefits if the member has 28 or more years of creditable service.~~

~~The member who has reached the age of 55 and who has at least 25 years of creditable service or who has reached the age of 60 and has at least five years of creditable service may elect early retirement with reduced benefits from the retirement system; however, he/she will not be eligible for cost-of-living adjustments for a period of time.~~

~~The employee who wishes to retire should notify the district board in writing of his/her intent to retire and should complete the appropriate forms for retirement and insurance prior to the retirement date.~~

District staff members can select between the Public Employee Benefit Authority's (PEBA) Defined Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).

Any district staff member who is a member of SCRS or State ORP may retire when they have met the established terms and conditions for retirement pursuant to state law. Staff members should confirm their eligibility for retirement with PEBA at <https://www.peba.sc.gov/>.

The staff member should notify the chief officer of human resources and administration in writing of his/her intent to retire as soon as possible but not later than March 15th of the year in which he/she plans to retire.

An eligible staff member wishing to retire during the course of the school year and to continue his/her employment as a retired staff member must adhere to the current state statutes at the time of retirement.

The board must approve the employment of all state retirees, whether recommended to fill a certified or support position, and no such employment will be approved for more than one school year or the remainder of the current school year. All working retirees in the district will be classified as at will employees, which means they can be removed from service at any time and without cause.

Adopted 9/9/75; Revised 2/8/83, 2/24/87, 11/27/01, 5/23/23

Legal references:

A. Federal Law:

- ~~1. 29 U.S.C. 621 et seq. Age Discrimination in Employment Act of 1967.~~

B. S. C. Code, 1976, as amended:

- ~~1. Section 9-1-10 Teachers are members of the state retirement system.~~
- ~~2. Section 9-1-1510 Members may retire at age 60 or after 28 years of creditable service~~

- ~~3. Section 9-1-1515 - Early retirement.~~
- ~~4. Section 9-1-1550 - Service retirement allowances.~~

A. United States Code of Laws, as amended:

1. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, *et seq.*
2. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, *et seq.*

B. S.C. Code of Laws, 1976, as amended:

1. Section 9-1-10 - Teachers are members of the state retirement system.
2. Section 9-1-1510(A) and (B) - Retirement eligibility (Class One or Two member; Class Three member).
3. Section 9-1-1515 - Early retirement.
4. Section 9-1-1550 - Service retirement allowances.

RETIREMENT OF SUPPORT STAFF

Code **GDQC** Issued **11/015/23**

Purpose: To establish the basic structure for the retirement of support staff.

~~Any school district employee who is a member of the South Carolina Retirement System may retire with full benefits if the member has 28 or more years of creditable service.~~

~~The member who has reached the age of 55 and who has at least 25 years of creditable service or who has reached the age of 60 and has at least five years of creditable service may elect early retirement with reduced benefits from the retirement system; however, he/she will not be eligible for cost-of-living adjustments for a period of time.~~

~~The employee who wishes to retire should notify the district board in writing of his/her intent to retire and should complete the appropriate forms for retirement and insurance prior to the retirement date.~~

~~District staff members can select between the Public Employee Benefit Authority's (PEBA) Defined Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).~~

~~Any district staff member who is a member of SCRS or State ORP may retire when they have met the established terms and conditions for retirement pursuant to state law. Staff members should confirm their eligibility for retirement with PEBA at <https://www.peba.sc.gov/>.~~

~~The staff member should notify chief officer of human resources and administration in writing of his/her intent to retire as soon as possible but not later than March 15th of the year in which he/she plans to retire.~~

~~An eligible staff member wishing to retire during the course of the school year and to continue his/her employment as a retired staff member must adhere to the current state statutes at the time of retirement.~~

~~The board must approve the employment of all state retirees, whether recommended to fill a certified or support position, and no such employment will be approved for more than one school year or the remainder of the current school year. All working retirees in the district will be classified as at will employees, which means they can be removed from service at any time and without cause.~~

Adopted 9/9/75; Revised 6/8/76, 11/27/01, 5/23/23

Legal references:

A. Federal Law:

- ~~1. 29 U.S.C. 621 et seq. - Age Discrimination in Employment Act of 1967.~~

B. S. C. Code, 1976, as amended:

- ~~1. Section 9-1-10 - Teachers are members of the state retirement system.~~
- ~~2. Section 9-1-1510 - Members may retire at age 60 or after 28 years of creditable service.~~
- ~~3. Section 9-1-1515 - Early retirement.~~
- ~~4.1. Section 9-1-1550 - Service retirement allowances.~~

A. United States Code of Laws, as amended:

1. Age Discrimination Act of 1975, 42 U.S.C.A. Section 6101, et seq.
2. Age Discrimination in Employment Act of 1967, 29 U.S.C.A. Section 621, et seq.

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2. Section 9-1-1510(A) and (B) - Retirement eligibility (Class One or Two member; Class Three member).
3. Section 9-1-1515 - Early retirement.
4. Section 9-1-1550 - Service retirement allowances.