

BOARD AGENDA ITEM
February 10, 2015

SUBJECT:

Revision to procedures: Hiring of Retirees

BACKGROUND:

The Board recently passed a motion asking the administration to re-visit this issue and to make possible recommendations. District Policies GCEC – *Posting and Advertising of Professional Vacancies*; Policy GCF – *Professional Staff Hiring*; Policy GCFB – *Hiring of Administrative Personnel*; and Policy GDF – *Support Staff Hiring*, all provide for the consideration of hiring retirees, subject to the discretion of the Superintendent. However, procedures were put into effect in 2006 that restricted the consideration of hiring retirees. Further, during financial difficulties legislative flexibility allowed (in the 2008 and subsequent fiscal years' time frame) for the imposition of salary restrictions on retirees. Other district procedures further limited the consideration for hiring retirees. Additionally, changes in permanent legislation – particularly in Sections 9-1-1790 (a) and 9-1-1795 – have created recent changes for retiree hiring. The district administration, through the Superintendent, believes that revisions to some of the restrictions in our procedures would enhance serving the best interests of our students and have minimal impact upon district finances.

ADMINISTRATIVE CONSIDERATION:

The district administration has encountered instances in which uniform salary restrictions imposed upon certified and classified categories of retired employees have hindered or had a chilling effect upon applications by potentially qualified employee applicants and, in particular, employee applicants with special skill sets and employee applicants meeting “critical needs” or possible service in “critical geographic areas” or service in schools which have received a *below average* or *unsatisfactory* academic performance rating under the Educational Accountability Act. The administration believes that a revision and relaxation of some of these restrictions over retiree applicants who might otherwise apply for vacancies requiring such unique or special skill sets, or certifications, would enhance the ability of administration to serve the students of this school district. The district administration has undertaken an informal poll of other school districts and finds that many districts are not restricting salaries and/or otherwise providing as many roadblocks to qualified retired applicants as our district is presently following. Thus, we find that we are creating to some extent our own obstacles to competitiveness with other school districts. Accordingly, the administration is proposing changes to our procedures in order to provide a broader spectrum of particularly skilled applicants and applicants who meet critical needs categories so that our students may be served better in future hiring processes available to the district.

RECOMMENDATION:

Approve the revisions to the attached District Procedures in order to provide more flexibility to the administration in the hiring process, including the hiring of retirees as discussed in this Item **and the elimination of negotiated salaries.**

ATTACHMENTS:

- 1) Proposed Revisions to Procedures Concerning Hiring of Retirees
- 2) Copy of current salary schedule limitation applicable for retirees (for information only) These limitations would be eliminated.

PREPARED BY:

Elizabeth Everitt, Superintendent
William H. Burkhalter, Jr., General Counsel

Approved
April 10, 2006 ~~Feb. 10, 2015~~

**PROCEDURES FOR HIRING RETIREES FROM THE
SOUTH CAROLINA RETIREMENT SYSTEM
FOR DISTRICT POSITIONS**

Administrative
Professional/Certified
Classified

REMINDERS and SCOPE:

1. When an employee exits TERI, he/she must have at least a one-day break in service before returning to work for an employer covered by SCRS. If an employee exits TERI in the middle of a contract period (July 1-June 30), he/she may return, with permission of his/her supervisor, his/her to the employee's current position for the remainder of the contract period. The supervisor must notify his direct supervisor by February 1 if he/she does not want the employee to return. The direct supervisor is responsible for ensuring that the employee knows that he/she will not be asked to finish a contract year.
2. When an employee retires, he/she must be off the payroll for at least 15 days before being hired by an employee covered by SCRS. Enrollment and participation in TERI meets the 15 day required break.
3. ~~These provisions are subject to all provisions of the South Carolina Code of Laws, as amended, and current policy provisions of the School District.~~
4. ~~These procedures specifically exclude any retiree, whether from within state or without, who might be an applicant for the Superintendency of the School District and for which multi-year contractual agreements are generally assumed.~~

Plan for 2006-2007 School Year

- ~~1. Revise the Letter of Agreement to be applicable for all the above categories.~~
5. ~~Send letter (copied to supervisor and cabinet level administrator) to All current working retirees should receive annual reminders will require that all retired they applicants should follow concerning their contract and employment status, same procedure yearly. The notice will address the earning of sick/vacation leave, and will clearly state that the employee continues to be on an "at will" status.~~

TEACHERS AND CERTIFIED ONLY [who do not meet the exceptions outlined in Section 9-1-1790(A)(2)] but who qualify under Section 9-1-1795 (Critical Needs { Geographic or Subject Area – See attached lists: also from schools with "below average" or "unsatisfactory" academic ratings}]

1. If a current ~~retired~~ employee wishes to be rehired, he/she must submit a written request to the supervisor by March 31. A retiree who has not worked with the school district within the last two years must complete an online application and submit references. Out of district retired applicants will go into the applicant pool with all other ~~non-retired~~ applicants. Applicants from out-of-state who are retired from ~~another educational system~~ will ~~not~~ be treated as retirees.
- ~~2. Retirees from other SC districts will be treated the same as our retirees.~~
2. If the supervisor wishes to ~~re-hire~~ a retiree, he/she must complete employment paperwork annually and send ~~to the academic officer or other supervisor~~ for approval. Advertising is not required. If a supervisor elects to advertise, he/she must advertise all positions and follow the established interview process in order to maintain consistency.
3. The area ~~Academic Officer~~ or ~~other supervisor~~ will send the paperwork to Personnel. Personnel will process the paperwork, present the retiree for Board approval, and issue the Letter of Agreement indicating their "at-will" status.

All other retirees (district and area academic administrators, directors, non-critical needs teachers, classified employees, etc.)

1. If a current retired employee wishes to be re-hired for ~~2006-2007~~ ~~the ensuing school year~~, he/she must submit a written request to the supervisor by March 31. A retiree who has not worked with the school district within the last two years must complete a new application and submit references. Out-of-district retired applicants will go into the applicant pool with all other ~~non-retired~~ applicants. Applicants from out-of-state who are retired from another educational system will ~~not~~ be treated as retirees.
2. All positions currently held by retired employees must be advertised ~~at least every other year~~. ~~No exceptions will be authorized without prior approval by the Superintendent.~~ An employment slip must be generated by the school with the approval letter attached and sent to Personnel.
3. When advertising, all applicants for the vacant position will be considered through our current advertising and interview process.
4. If a retiree is rehired, Personnel will process the employment paperwork, present the retiree for Board approval, and issue the Letter of Agreement indicating their "at will" status.
- ~~5. Nothing herein shall preclude a retiree subject to the salary cap provision set forth in recently amended Section 9-1-1790(A)(1) from applying for a position as an active employee if he/she desires to do so under those limitations.~~
- ~~6. The current salary limitations applicable for retirees in the attached 2014-15 Salary Schedule Excerpt shall be inapplicable after the present school year.~~

REHIRING OF RETIRED EMPLOYEES (from Salary Schedule
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In 2014 – 2015, the District may rehire employees who have retired through the SC Retirement System. As allowed by legislation, salaries for these employees are uniformly negotiated at the levels noted below.

Teachers will be paid, based on their degree, at step 11 of the teacher salary schedule.

Classified employees (salary schedule A) will be paid at the 10th step of their respective pay grade. For example, a rehired-retiree whose job classification ranges from step 17A to step 34A would be paid at step 26A.

All other employees (salary schedules B, C, and D) will be paid at the beginning step for their respective pay grade.

All rehired-retirees shall opt for benefits through the SC Retirement System.

**[Current procedures from the salary schedule.
These limitations would be eliminated.]**