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HOUSE BILL 2455

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State of Washington

55th Legislature

1998 Regular Session

By Representatives Carrell, Lambert, Johnson, Mielke, Chandler, Boldt, Zellinsky, McDonald, B. Thomas and Mulliken

Read first time . Referred to Committee on .

1 AN ACT Relating to increasing the number of hours that a retired  
2 teacher can teach without a reduction in benefits; and amending RCW  
3 41.32.570.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 41.32.570 and 1997 c 254 s 5 are each amended to read  
6 as follows:

7 (1)(a) If a retiree enters employment with an employer sooner than  
8 one calendar month after his or her accrual date, the retiree's monthly  
9 retirement allowance will be reduced by five and one-half percent for  
10 every seven hours worked during that month. This reduction will be  
11 applied each month until the retiree remains absent from employment  
12 with an employer for one full calendar month.

13 (b) The benefit reduction provided in (a) of this subsection will  
14 accrue for a maximum of one hundred forty hours per month. Any monthly  
15 benefit reduction over one hundred percent will be applied to the  
16 benefit the retiree is eligible to receive in subsequent months.

17 (2) Any retired teacher or retired administrator who enters service  
18 in any public educational institution in Washington state and who has  
19 satisfied the break in employment requirement of subsection (1) of this

1 section shall cease to receive pension payments while engaged in such  
2 service: PROVIDED, That service may be rendered up to five hundred  
3 twenty-five hours per school year without reduction of pension.

4 (3) In addition to the five hundred twenty-five hours of service  
5 permitted under subsection (2) of this section, a retired teacher or  
6 retired administrator may also serve only as a substitute teacher for  
7 up to an additional (~~one hundred five~~) five hundred twenty-five hours  
8 per school year without reduction of pension if:

9 (a) A school district, which is not a member of a multidistrict  
10 substitute cooperative, determines that it has exhausted or can  
11 reasonably anticipate that it will exhaust its list of qualified and  
12 available substitutes and the school board of the district adopts a  
13 resolution to make its substitute teachers who are retired teachers or  
14 retired administrators eligible for the additional one hundred five  
15 hours of extended service once the list of qualified and available  
16 substitutes has been exhausted. The resolution by the school district  
17 shall state that the services of retired teachers and retired  
18 administrators are necessary to address the shortage of qualified and  
19 available substitutes. The resolution shall be valid only for the  
20 school year in which it is adopted. The district shall forward a copy  
21 of the resolution with a list of retired teachers and retired  
22 administrators who have been employed as substitute teachers to the  
23 department and may notify the retired teachers and retired  
24 administrators included on the list of their right to take advantage of  
25 the provisions of this subsection; or

26 (b) A multidistrict substitute cooperative determines that the  
27 school districts have exhausted or can reasonably anticipate that they  
28 will exhaust their list of qualified and available substitutes and each  
29 of the school boards adopts a resolution to make their substitute  
30 teachers who are retired teachers or retired administrators eligible  
31 for the extended service once the list of qualified and available  
32 substitutes has been exhausted. The resolutions by each of the school  
33 districts shall state that the services of retired teachers and retired  
34 administrators are necessary to address the shortage of qualified and  
35 available substitutes. The resolutions shall be valid only for the  
36 school year in which they are adopted. The cooperative shall forward  
37 a copy of the resolutions with a list of retired teachers and retired  
38 administrators who have been employed as substitute teachers to the  
39 department and may notify the retired teachers and retired

1 administrators included on the list of their right to take advantage of  
2 the provisions of this subsection.

3 (4) In addition to the five hundred twenty-five hours of service  
4 permitted under subsection (2) of this section, a retired administrator  
5 or retired teacher may also serve as a substitute administrator up to  
6 an additional one hundred five hours per school year without reduction  
7 of pension if a school district board of directors adopts a resolution  
8 declaring that the services of a retired administrator or retired  
9 teacher are necessary because it cannot find a replacement  
10 administrator to fill a vacancy. The resolution shall be valid only  
11 for the school year in which it is adopted. The district shall forward  
12 a copy of the resolution with the name of the retired administrator or  
13 retired teacher who has been employed as a substitute administrator to  
14 the department. However, a retired administrator or retired teacher  
15 may not serve more than a total of one hundred five additional hours  
16 per school year pursuant to subsections (3) and (4) of this section.

17 (5) Subsection (2) of this section shall apply to all persons  
18 governed by the provisions of plan I, regardless of the date of their  
19 retirement, but shall apply only to benefits payable after June 11,  
20 1986.

21 (6) Subsection (3) of this section shall apply to all persons  
22 governed by the provisions of plan I, regardless of the date of their  
23 retirement, but shall only apply to benefits payable after September 1,  
24 1994.

25 (7) For purposes of this section only, "substitute teacher"  
26 includes temporary teachers working under a contract with a guaranteed  
27 number of hours or days.

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