
HOUSE BILL 1761

State of Washington

56th Legislature

1999 Regular Session

By Representatives Talcott, Carrell, Rockefeller, Wensman, Stensen, Thomas, Fortunato, Mulliken, Haigh, Schoesler, Bush and Esser

Read first time 02/04/1999. Referred to Committee on Education.

1 AN ACT Relating to increasing the number of hours that a retired
2 teacher or administrator can serve as a substitute teacher or
3 administrator without a reduction in benefits; and amending RCW
4 41.32.570.

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

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

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

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

18 (2) Any retired teacher or retired administrator who enters service
19 in any public educational institution in Washington state and who has

1 satisfied the break in employment requirement of subsection (1) of this
2 section shall cease to receive pension payments while engaged in such
3 service: PROVIDED, That service may be rendered up to five hundred
4 twenty-five hours per school year without reduction of pension.

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

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

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

1 department and may notify the retired teachers and retired
2 administrators included on the list of their right to take advantage of
3 the provisions of this subsection.

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

19 (5) Subsection (2) of this section shall apply to all persons
20 governed by the provisions of plan I, regardless of the date of their
21 retirement, but shall apply only to benefits payable after June 11,
22 1986.

23 (6) Subsection (3) of this section shall apply to all persons
24 governed by the provisions of plan I, regardless of the date of their
25 retirement, but shall only apply to benefits payable after September 1,
26 1994.

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