



ROSENSTEIN, FIST & RINGOLD

RED BANNER UPDATE

Date: June 2, 2017

Re: SB 0428

Signed: May 15, 2017

Effective: May 15, 2017

Topic: Teacher retirement

Summary: SB 0428 amends existing law regarding teacher retirement. The revisions generally clean up and clarify existing language. However, the amendments make a substantive change to the limit as to certain teachers' post-retirement earnings. That is, beginning July 1, 2017, teachers who have been fully retired for at least one year prior to July 1, 2017, may be reemployed as teachers in any Oklahoma school district with no limit on earnings. These teachers must be reemployed on a temporary teaching contract. This new law appears to only be in effect for three years beginning July 1, 2017. The apparent purpose of this new law is to help with teacher shortages in the state by allowing teachers who have previously been retired for a least one year prior to July 1, 2017, to go back to work for a maximum of three years at full pay on the teacher salary schedule and continue to draw their full retirement benefit.

No changes are anticipated for any district policy or procedure. The firm always suggests that districts instruct any individual considering post-retirement work for a school district to consult directly with OTRS about their unique circumstances. If a teacher determines that he/she wishes to return to work and does not have a cap on earnings, the district may use its standard temporary teacher contract rather than a retired temporary teacher contract.

Teachers who have **not** been retired for a full year prior to July 1, 2017, are still subject to the income cap and should be placed on a retired temporary teacher contract.