Replace with Model Policy

Hickman County Board of Education

	Descriptor Term: **Employment of Retirees**	Descriptor Code: **5.119**	Issued Date: **12/09/24**
		Rescinds: **5.119**	Issued: **08/07/23**

General

The Director of Schools may hire a retired individual if certain conditions are met as provided for in state law.

EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS

Teachers who retire under the Tennessee Consolidated Retirement System (TCRS) may be employed for up to one hundred twenty (120) days per year without loss of retirement benefits. Retired members may substitute teach for additional days.[1]

EMPLOYMENT CONTRACTS FOR ONE YEAR

The Director of Schools may employ teachers retired for at least one (1) year for full-time employment as a kindergarten through twelfth (K-12) grade teacher on a year-to-year basis. Retirement benefits will not be lost or suspended under certain conditions which include, but are not limited to, the following:[2]

1. The retired teacher shall hold a valid license and shall not be entitled to tenure status;

2. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave, or receive medical insurance coverage; and

3. The salary paid to the retired teacher shall not be less than the rate of compensation set by the Board for teachers with no experience filling similar positions or more than eighty-five percent (85%) of the rate of compensation set by the Board for teachers with comparable training and years of experience filling similar positions.

ADDITIONAL EMPLOYMENT OPTION FOR RETIREES[3]

Retired members of TCRS or a similar system may be offered reemployment for up to one (1) year as a kindergarten through twelfth (K-12) grade teacher, substitute teacher, or bus driver under the following conditions:

1. The retired member has been retired for at least sixty (60) calendar days;

2. The retirement benefit payable to the retired member is reduced to seventy percent (70%) of the retirement allowance;

3. The retired member's employment can't be longer than a one (1) year period; however, the retired member can be reemployed for additional one (1) year periods;

4. The retired member is not drawing disability retirement benefits; and

5. The retired member can't accrue additional retirement benefits.

The Director of Schools shall notify TCRS of the member's reemployment and certify in writing that the retired member has the required experience and training for the position and that no other qualified persons are available to fill the position.

Once the retired member is hired by the district, the district shall pay TCRS as prescribed by state law. The school district shall pay to TCRS during the period of reemployment the greater of (1) a payment equal to the amount the school district would have contributed to TCRS; or (2) an amount equal to five percent (5%) of the retired member's pay rate.

Legal References	Cross References
1. TCA 8-36-805	Application and Employment 5.106
2. TCA 8-36-821	Substitute Teachers 5.701
3. TCA 8-36-822	

Model Policy

Hickman County Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
Review: Annually, in January	**Employment of Retirees**	**5.119**	Click here to enter a date.
		Rescinds:	Issued:

General[1]

The Director of Schools may hire a retired individual if certain conditions are met as provided for in state law. Prior to commencement of reemployment, the Director of Schools shall provide the required employment information to the Tennessee Consolidated Retirement System (TCRS). In order to be eligible for employment after retirement, a TCRS member must comply with the following:

1. The retired member must have a bona fide separation of service which includes a separation of at least sixty (60) calendar days and no previous agreement to return to work after retirement; and

2. The retired member may not accrue additional retirement benefits as a result of the member's reemployment and may not draw disability retirement benefits.

EMPLOYMENT CONTRACTS FOR UP TO 120 DAYS[2]

Retired members under TCRS may be employed for up to one hundred twenty (120) days per year without loss of retirement benefits. Retired members may substitute teach for additional days.

To continue receiving TCRS benefits, the following conditions must be met in addition to the general standards above:

1. During a twelve-month period, the retiree must not work more than one hundred twenty (120) days; and

2. The retired member's compensation must not exceed 60% of the annual full-time salary received in the year immediately prior to the member's last paid day of covered employment. This amount shall be adjusted by five percent (5%) for each year after that date.

The retired member may work beyond one hundred twenty (120) days as a substitute teacher if the payment does not exceed the rate of compensation for substitute teachers filling similar vacant positions.

HARD TO FILL POSITIONS[3]

The Director of Schools may contract with retired members for hard to fill positions if the following conditions are met in addition to the general standards above:

1. During the reemployment, the retirement benefit payable to the retiree must be reduced to seventy percent (70%) of the retirement allowance the member would have otherwise been entitled to receive; and

2. The retired member's reemployment must not exceed one (1) year, but the retired member may be reemployed for additional one-year periods per state law.

The Director of Schools shall certify to TCRS that the employee is being rehired in a hard-to-fill position. In order to qualify, one or more of the following conditions must be established:

1. It is difficult to recruit and retain qualified employees for the position;

2. The position requires specialized certification, credentials, or education;

3. The demand for the position exceeds the supply;

4. The position is in high demand in the marketplace;

5. The position is filled by key personnel;

6. The position requires specific skills and experience; or

7. The position has other unique recruitment or retention issues identified and documented by the Director of Schools.

Once the retired member is hired, the district shall pay TCRS the greater of: (1) a payment equal to the amount the employer would have contributed to the retirement system during the period of reemployment; or (2) an amount equal to five percent (5%) of the retired member's earnable compensation.

Legal References

1. TCA 8-36-805; TCA 8-36-809; Public Acts of 2025, Chapter No. 159
2. TCA 8-36-805; Public Acts of 2025, Chapter No. 159
3. TCA 8-36-809; Public Acts of 2025, Chapter No. 159

Cross References

Application and Employment 5.106
Substitute Teachers 5.701