
OLR Bill Analysis

HB 5222

AN ACT FACILITATING THE REEMPLOYMENT OF PUBLIC SCHOOL TEACHERS IN PUBLIC INSTITUTIONS OF HIGHER EDUCATION.

SUMMARY:

By law, with certain exceptions, a retired teacher who collects a pension from the Teachers' Retirement System (TRS) and who works in a teaching position paid out of public money appropriated for school purposes cannot earn more than 45% of the assigned position's maximum salary (the 45% rule). Under current law, the exceptions are a one-year assignment in (1) a subject shortage area identified by the education commissioner or (2) a priority school district (for any subject). Such assignments may be extended for an additional year under certain conditions.

This bill adds to these exceptions by allowing public higher education institutions to hire TRS retirees as teaching faculty for an unlimited period of time. Such teachers must be highly qualified because of exceptional expertise in the position's subject matter.

Current law contains provisions controlling what the teacher can be paid and specifying that health benefits are provided by the employer, not TRS. However, the bill is unclear regarding (1) the salary that the higher education institution must pay the teacher and (2) whether it is TRS or the institution that pays for the teacher's health benefits while he or she is employed by the institution.

For retirees reemployed under the 45% rule's exceptions, the bill requires both the reemployed teacher and the employer to send a notice of reemployment to the State Board of Education. Under current law, such notices are sent to the Teachers' Retirement Board (TRB). However, the law requires TRB to approve a retiree's new employment before he or she may receive the health insurance benefits

provided by the employer. It is unclear how TRB could do this without notice of reemployment.

EFFECTIVE DATE: July 1, 2012

COMMITTEE ACTION

Higher Education and Employment Advancement Committee

Joint Favorable

Yea 16 Nay 4 (03/20/2012)