

RETIREMENT CONSULTANCY CONTRACTS

A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations.

To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the district or the County Superintendent of Schools for at least 10 years and be at least 55 years of age.

Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first.

A retiree employed under this program shall not make contributions to the retirement fund or accrue service credit based on compensation earned from program service.

A retiree employed under this program shall be paid at a rate commensurate with that of other employees performing comparable duties. The retiree may earn compensation for creditable service up to the limitation specified by law. This limit applies only to earnings for service that would be creditable for State Teachers' Retirement System purposes if performed by a current employee.

Emergency Exemptions from Postretirement Compensation Limitation

A retiree shall be exempt from the above limitation for a maximum period of two years if appointed by the Superintendent of Public Instruction as a trustee or administrator pursuant to Education Code 41320.1, or if assigned to a position by the County Superintendent pursuant to Education Code 42122-42129.

Until January 1, 2008, a retiree shall also be exempt from the above limitation up to an additional one-half of the full-time position when employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met:

1. The vacancy occurred due to circumstances beyond the district's control.
2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.
3. The employment is reported in a public meeting of the Governing Board.

When employing a retiree eligible for any of the above exemptions, the Superintendent or designee shall submit all required documentation to substantiate this eligibility to the State Teachers' Retirement System.

The above exemptions shall not apply to any retiree who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any district, community college district, or county office of education.

Adopted: May 9, 2007