

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1761

Chapter 387, Laws of 1999

56th Legislature
1999 Regular Session

RETIRED TEACHERS--SERVICE AS SUBSTITUTES

EFFECTIVE DATE: 7/25/99

Passed by the House April 20, 1999
Yeas 96 Nays 0

CLYDE BALLARD
Speaker of the House of Representatives

FRANK CHOPP
Speaker of the House of Representatives

Passed by the Senate April 14, 1999
Yeas 48 Nays 0

BRAD OWEN
President of the Senate

Approved May 18, 1999

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

We, Dean R. Foster and Timothy A. Martin, Co-Chief Clerks of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1761** as passed by the House of Representatives and the Senate on the dates hereon set forth.

DEAN R. FOSTER

Chief Clerk

TIMOTHY A. MARTIN

Chief Clerk

FILED

May 18, 1999 - 3:19 p.m.

**Secretary of State
State of Washington**

HOUSE BILL 1761

AS AMENDED BY THE SENATE

Passed Legislature - 1999 Regular Session

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 fifteen hours
9 per 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 ~~hours of~~) extended service once the list of qualified and available
17 substitutes has been exhausted. The resolution by the school district
18 shall state that the services of retired teachers and retired
19 administrators are necessary to address the shortage of qualified and
20 available substitutes. The resolution shall be valid only for the
21 school year in which it is adopted. The district shall forward a copy
22 of the resolution with a list of retired teachers and retired
23 administrators who have been employed as substitute teachers to the
24 department and may notify the retired teachers and retired
25 administrators included on the list of their right to take advantage of
26 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 to
7 an additional one hundred five hours per school year without reduction
8 of pension if a school district board of directors adopts a resolution
9 declaring that the services of a retired administrator or retired
10 teacher are necessary because it cannot find a replacement
11 administrator to fill a vacancy. The resolution shall be valid only
12 for the school year in which it is adopted. The district shall forward
13 a copy of the resolution with the name of the retired administrator or
14 retired teacher who has been employed as a substitute administrator to
15 the department. (~~However, a retired administrator or retired teacher~~
16 ~~may not serve more than a total of one hundred five additional hours~~
17 ~~per school year pursuant to subsections (3) and (4) of this section.~~)

18 (5) In addition to the five hundred twenty-five hours of service
19 permitted under subsection (2) of this section and the one hundred five
20 hours permitted under subsection (4) of this section, a retired
21 principal may also serve as a substitute principal up to an additional
22 two hundred ten hours per school year without a reduction of pension if
23 a school district board of directors adopts a resolution declaring that
24 the services of a retired principal are necessary because it cannot
25 find a replacement principal to fill a vacancy. The resolution shall
26 be valid only for the school year in which it is adopted. The district
27 shall forward a copy of the resolution with the name of the retired
28 principal who has been employed as a substitute principal to the
29 department.

30 (6) Subsection (2) of this section shall apply to all persons
31 governed by the provisions of plan I, regardless of the date of their
32 retirement, but shall apply only to benefits payable after June 11,
33 1986.

34 (~~(6)~~) (7) Subsection (3) of this section shall apply to all
35 persons governed by the provisions of plan I, regardless of the date of
36 their retirement, but shall only apply to benefits payable after
37 September 1, 1994.

Passed the House April 20, 1999.
Passed the Senate April 14, 1999.
Approved by the Governor May 18, 1999.
Filed in Office of Secretary of State May 18, 1999.