

### **Current District Employees**

In the event that a district employee retires and begins receiving benefits from the Public Employees Retirement System (PERS) prior to the end of the school year, they may be retained by the district in their current position or another position as deemed appropriate by the district until the end of the school year subject to the provisions of ORS 238.082 and the provisions of any applicable collective bargaining agreement.

All requests for continued employment by the district must be submitted in writing to the Superintendent no later than 30 calendar days before the end of the school year in which the individual has retired from PERS. Requests will be considered based on the following criteria:

1. Need: the individual must have the appropriate training, licensure, or skills in an area of identified shortage of personnel as determined by the district; or must have the knowledge, skills or expertise to provide mentoring / coaching to other staff;
2. Evaluations: the individual must have satisfactory performance evaluations. An individual who has been on a program of assistance for improvement or with written directives or written reprimands will not be considered for retention by the district.

Decisions to retain a retired employee for the duration of the school year will be made at the sole discretion of the Superintendent or designee, and may be subject to Board approval in accordance to district policy and practice. The individual will not be required to submit to established district application and interview procedures. Decisions to retain the individual in a position other than the individual's current position, such as a new position or another vacant position will be made by the Superintendent or designee. The individual may be required to submit to established district application and interview process for such positions.

Employees who retire during the school year and are selected by the district for continued employment shall not serve past June 30 of that year except as provided in this regulation. Employees hired to work the remainder of the school year in which they retire shall be issued a temporary contract for the duration of the school year. There shall be no guarantee of continued employment beyond June 30, and the district may declare the position to be open. The district may, at its discretion, elect to re-employ individuals who are retired under PERS for contract years beyond the contract year in which the individual retired; not to exceed three, one-year contracts. The district may establish an abbreviated application process for district retiree seeking to retain the position they occupied prior to retirement, consistent with any applicable collective bargaining agreement provisions.

A retired member who is employed as a classified employee or teacher, as defined by ORS 342.120, will remain in the same collective bargaining agreement unit that included the member before retirement, unless retirees or the assignments (i.e. temporary, substitute, etc.) are specifically excluded from the collective bargaining agreement. Salary, benefits and length of contract who are excluded from the bargaining unit will be determined by the Superintendent.

An employees retirement under PERS shall constitute a break in service from employment with the district, regardless of whether the employee is subsequently re-hired. Individuals who are licensed by TSPC shall return to probationary status pursuant ORS 342.815(3) & (6) upon their rehiring after retirement from PERS. Employees who are rehired following retirement under PERS shall not retain pre-retirement seniority.

Upon the hiring of a PERS retiree, the district will immediately submit an Employment of PERS Retiree form to the PERS office as required by law. Employees who are re-hired following retirement under PERS shall be responsible for any impact on their retirement benefits as a result of their continued employment.

#### **Former District Employees & Former Employees of Other Oregon School Districts**

An employee who has retired and left district employment, or retired from another Oregon district, may apply for a subsequent vacancy with the district under the same application and interview procedures as all other applicants for district employment. If the district rehires the former district employee, seniority will begin anew and salary / wages and benefits will be determined in accordance with any applicable collective bargaining agreement, policy or individual employment contract. Upon the hiring of a PERS retiree, the district will immediately submit an Employment of PERS Retiree form to the PERS office as required by law. Employees who are re-hired following retirement under PERS shall be responsible for any impact on their retirement benefits as a result of their continued employment.

Requests will be considered based on the following criteria:

1. Need: the individual must have the appropriate training, licensure, or skills in an area of identified shortage of personnel as determined by the district.
2. Evaluations: the individual must have satisfactory performance evaluations. An individual who has been on a program of assistance for improvement or with written directives or written reprimands will not be considered for retention by the district.

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