

Marion County Board of Education

Monitoring:

Descriptor Term:

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Retirement

5.205

07/30/13

Rescinds:

Issued:

5.205

05/18/10

Retirement shall mean a termination of services under conditions which will allow the employee to draw benefits from retirement plans and/or social security benefits.

Employees eligible for retirement benefits may elect to retire at any age according to the provisions of the retirement system.

Central office personnel shall assist employees in securing retirement benefits; however, it shall be the responsibility of the retiring employee to provide verification of eligibility in writing from TCRS to the central office. It shall be the responsibility of the retiring employee to file for benefits.

Employees who retire under TCRS may be employed up to one-hundred twenty (120) days per year without loss of retirement benefits. Retired teachers may substitute teach for an additional ninety (80) days if the director of schools certifies in writing to the Board that no other qualified personnel are available to substitute teach.¹

The director of schools may employ teachers retired for at least one year for full-time employment as a kindergarten through twelfth 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 director of schools of the employing system must certify in writing that no other qualified individuals are available to fill the position;
2. The Commissioner of Education must certify that the employing school system serves an area that lacks qualified teachers to serve in the position to be filled;
3. The retired teacher must hold a valid license and shall not be entitled to tenure status;
4. The retired teacher shall not be eligible to accrue additional retirement benefits, accrue leave or receive medical insurance coverage; and
5. The salary paid to the retired member shall not be less than the rate of compensation set by the Board for teachers with no experience filling similar positions, nor more than eighty-five (85%) of the rate of compensation set by Board for teachers with comparable training and years of experience filling similar positions.

A teacher planning to retire or resign at the end of a school year and who submits notification to the personnel department no later than April 15 of that year, will be eligible for a \$500.00 bonus. The teacher must finish the school year in their position to qualify. The bonus may be received only one (1) time per teacher.

A support staff employee planning to retire at the end of a school year with twenty (20) or more years working experience in the school system will be eligible for a \$500 bonus. He/she must submit notification to the personnel department no later than April 15 of that year to become eligible for the bonus and must finish the school year in their position to qualify. The bonus may be received only one (1) time per support staff employee.

Legal References:

1. TCA 8-36-805(3)
2. TCA 8-36-821