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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2012

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A N A C T

RELATING TO EDUCATION -- TEACHERS' RETIREMENT

Introduced By: Senators DiPalma, Gallo, Sosnowski, Tassoni, and Hodgson

Date Introduced: January 18, 2012

Referred To: Senate Finance

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-16-5 of the General Laws in Chapter 16-16 entitled "Teachers'  
2 Retirement" is hereby amended to read as follows:

3 **16-16-5. Service creditable.** -- (a) In calculating "service", "prior service", or "total  
4 service" as defined in section 16-16-1, every teacher shall be given credit for a year of service for  
5 each year in which he or she shall have served as a teacher; provided, that any teacher who  
6 through illness or leave of absence without pay does not serve a full school year may receive  
7 credit for a full school year of service by paying the full actuarial cost as defined in section 36-8-  
8 1(9). Credit for leaves of absence shall be limited, in the aggregate, during the total service of a  
9 teacher to a period of four (4) years; provided, however, every teacher who had been required to  
10 resign for maternity reasons may receive credit for maternity reasons by making contribution to  
11 the system upon her return to teaching the amount she would have contributed to the retirement  
12 system, with interest, based upon her expected compensation but for her absence due to maternity  
13 reasons.

14 (b) The retirement board shall fix and determine the time when and the conditions under  
15 which the payments shall be made.

16 (c) Any teacher who serves or who has served during a school year at least three-quarters  
17 ( 3/4) of the number of days that the public schools are required by law to be in session during the  
18 year shall be given credit for a year of service for that year. In determining the number of days  
19 served by a substitute teacher the total number of days served in any public school of any city or

1 town in the state may be combined for any one school year. Any teacher shall be entitled to "prior  
2 service" credit for service prior to July 1, 1949, provided the teacher shall have been in service  
3 during the school year 1949-1950. The teacher shall be entitled to service credit for any year  
4 subsequent to July 1, 1949, by making contribution to the retirement system the amount he or she  
5 would have contributed to the retirement system had he or she been a member, plus regular  
6 interest compounded annually to date of payment, payable at a time or in any manner that may be  
7 provided by the rules of the retirement board.

8 (d) Any teacher employed in at least a half ~~(1/2)~~ (1/2) program including a job share  
9 program in a school district or between two (2) or more different school districts shall remain a  
10 contributing member and shall receive credit for that part-time service.

11 (e) In computing service or in computing compensation, the retirement board shall credit  
12 no more than one year of service on account of all service in one calendar year.

13 (f) Notwithstanding any other section of law, no member of the retirement system shall  
14 be permitted to purchase service credit for any portion of a year for which he or she is already  
15 receiving service credit in this retirement system.

16 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF  
A N A C T  
RELATING TO EDUCATION -- TEACHERS' RETIREMENT

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1           This act would allow any teacher employed in at least a half (1/2) program including a  
2 job share program in a school district or between two (2) or more different school districts to  
3 remain a contributing member of the retirement system and receive credit for that part-time  
4 service.

5           This act would take effect upon passage.

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