

Certificated Personnel

PRE-RETIREMENT PART-TIME EMPLOYMENT

On a case-by-case basis, the Superintendent or designee may allow a certificated employee who is a member of the defined benefit program of the California State Teachers' Retirement System (STRS) to reduce his/her workload from full-time to part-time when doing so does not disrupt the educational program and is in the best interests of the district.

Any such certificated employee who reduces his/her workload to part time may maintain the retirement and health and welfare benefits that he/she would have received if employed on a full-time basis under the following conditions: (Education Code 22713, 44922)

1. The option to reduce the employee's workload shall be exercised at the request of the employee and the agreement to reduce the workload shall be in effect at the beginning of the school year.
2. Prior to the reduction in workload, the employee shall have a minimum of 10 years of credited service, of which the immediately preceding five years were full-time employment.
3. The employee shall not have had a break in service during the five years immediately preceding the reduction in workload. Sabbaticals, other approved leaves of absence, and unpaid absences for personal reasons from full-time employment shall not constitute a break in service. However, the period of time which an employee is retired shall constitute a break in service and an employee who reinstates from retirement shall be required to be employed on a full-time basis for a least five school years preceding the workload reduction.
4. The employee shall have reached the age of 55 years prior to the workload reduction.
5. The Employee shall not hold a position with a salary above that of a school principal.
6. The reduced workload shall be equal to one-half of the time the district requires for full-time employment, in accordance with Education Code 22138.5, pursuant to the employee's contract of employment during his/her final year of full-time employment.
7. The employee shall be paid a compensation that is the pro rata share of the compensation the he/she would have earned had the he/she not opted to reduce his/her workload.

PRE-RETIREMENT PART-TIME EMPLOYMENT (continued)

8. The agreement may be revoked only by mutual consent of the employee and the Superintendent or designee.

However, an employee who has entered into a formalized agreement with the district to have his/her contribution into the defined benefit program picked up by the district may not terminate the agreement to reduce his/her workload except by one of the following:

- a. Terminating his/her service
 - b. Retiring from service under the defined benefit program
 - c. Continuing to perform creditable service under a new reduced workload
 - d. arrangement for at least one-half of the time the district requires for full-time employment in accordance with Education Code 22138.5
 - e. Returning to full-time employment
9. The period of the reduced workload shall not exceed 10 years.

Prior to the reduction of an employee's workload, the Superintendent or designee shall verify the employee's eligibility in conjunction with the administrative staff of the State Teachers' Retirement System (STRS) and/or Public Employees Retirement System (PERS) (Education Code 22713)

The Superintendent or designee shall maintain the necessary records to separately identify each employee who participates in the reduced workload program. (Education Code 22713)

(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

Legal Reference:

EDUCATION CODE

22119.5 Creditable service, definition

22138.5 Full-time, definition

22713 Part-time employment; reduction of workload from full-time; credit

22903 Payment of contributions by employer for tax deferred purposes

44922 Regulations; reduction to part-time employment

GOVERNMENT CODE

21110-21120 Reduced workload, partial service retirement under PERS

PRE-RETIREMENT PART-TIME EMPLOYMENT (continued)

53201 Health and welfare benefits: election by officers and employees

Management Resources:

WEB SITES

PRE-RETIREMENT PART-TIME EMPLOYMENT (continued)

California Public Employees' Retirement System: <http://www.calpers.ca.gov>

California State Teachers' Retirement System: <http://www.calstrs.com>

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