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EXPLANATION: PART-TIME AND SUBSTITUTE EMPLOYMENT

MSBA has revised this policy to remove many statutory details regarding the limitations of hiring a person receiving retirement benefits and instead added language charging the superintendent or designee to follow the law. Due to increased regulation of the employment of retirees in state statute and regulation, as well as the increased movement of retirees from one system to another, it has simply become too cumbersome to attempt to summarize in policy all the various rules regarding hiring a retiree. The district has no choice but to follow the law, and the four Missouri teacher and support staff public school retirement systems do an excellent job of communicating to employees and school districts the various rules. MSBA encourages district administrative staff to work directly with the various retirement systems to ensure that regulations are strictly followed.

- Information on retirement from the Public School Retirement System (PSRS) and the Public Education Employee Retirement System (PEERS) can be found at: <https://www.psr-peers.org/>.
- Information on retirement from the Kansas City Public School Retirement System can be found at: <https://www.kcpsrs.org/>.
- Information on retirement from the Public School Retirement System of the City of St. Louis can be found at: <http://www.psrstl.org/>.

MSBA has also moved the section titled "Job Sharing" to a less prominent position in the policy. While state statute allows for job sharing, many districts have chosen not to authorize job sharing.

MSBA has also added a section specific to part-time employees.

<i>MSBA recommends that copies of this document be routed to the following areas because the content is of particular importance to them. The titles on this list may not match those used by the district. Please forward copies to the district equivalent of the title indicated.</i>				
	Board Secretary	X	Business Office	Coaches/Sponsors
	Facility Maintenance		Food Service	Gifted
X	Human Resources	X	Principals	Library/Media Center
	Health Services		Counselor	Special Education
X	Transportation		Public Info/Communications	Technology

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PART-TIME AND SUBSTITUTE EMPLOYMENT

The district may employ part-time employees and employees who will work on a substitute basis in the district. These employees must meet the same qualifications as full-time staff, must be appropriately certified or licensed when necessary, and are subject to the same policies, procedures and other rules as full-time employees. Part-time and substitute employees must satisfactorily complete the same background checks and screenings required of full-time employees.

Job Sharing

~~The district may employ classroom teachers through a job-sharing arrangement, in accordance with law. Classroom teachers in a job-sharing position shall receive paid legal holidays and paid leave applicable to all classroom teachers on a pro rata basis.~~

~~A job-sharing position shall mean any position that is shared with one other employee, requires employment of at least 17 and no more than 20 hours per week on a regular basis and requires at least 70 percent of all time spent in classroom instruction. Instructional support or school services positions such as guidance counselors, media coordinators, psychologists, social workers, audiologists, speech and language pathologists, and nursing positions are not eligible for job sharing under state law but may still be employed on a part-time basis.~~

Substitute Employees

In accordance with law, a majority of the whole Board must approve the employment of all employees, which includes substitute employees. The superintendent will present an initial list of substitute employees to the Board for approval. If substitute employees are added to or removed from the list, the superintendent will submit the revised list or the individual changes to the Board for approval.

Part-Time Employees

The superintendent or designee may create part-time employment positions in situations where the district will benefit from employing part-time staff or where full-time staff are not necessary to accomplish the district's goals. The district will employ persons in part-time positions in accordance with the district's regular hiring practices and Board policy.

Job Sharing

The district may employ classroom teachers through a job-sharing arrangement in accordance with law. Classroom teachers in a job-sharing position shall receive paid legal holidays and paid leave applicable to all classroom teachers on a pro rata basis.

A job-sharing position shall mean any position that is shared with one other employee, requires employment of at least 17 and no more than 20 hours per week on a regular basis and requires at least 70 percent of all time spent in classroom instruction. Instructional support or school services positions (such as school counselors, media coordinators, psychologists, social workers, audiologists, speech-language pathologists and nursing positions) are not eligible for job sharing under state law but may still be employed on a part-time basis.

Employing Retirees

The district may employ persons retired and currently receiving a retirement allowance from a public retirement system, but the district shall consult with that public retirement system before hiring one of their beneficiaries.

~~The district may employ persons retired and currently receiving a retirement allowance other than for disability under the Missouri Public School Retirement System (PSRS) or the Public Education Employee Retirement System (PEERS) in any capacity on either a part-time, temporary or substitute basis. As long as these employees do not work in excess of a total of 550 hours in any one school year as prorated by state law, these employees will not contribute to PSRS or PEERS.~~

~~The district may employ a retiree for more than 550 hours or even employ a retiree full-time with the mutual understanding that this will result in a new retirement account being established and that the employee will not be eligible to receive his or her retirement allowance for any month during which he or she is employed by the district unless the district can demonstrate that it has a critical shortage of qualified employees as required under state law.~~

~~In accordance with law, the district will not reach a written or unwritten agreement for future employment with a person who has retired or is going to retire under PSRS or PEERS until the person has received his or her first retirement benefit payment.~~

~~All persons employed by the district who are receiving a retirement allowance from PSRS or PEERS are required to provide the district an accurate record of the dates and hours they work for the district. Such records will be maintained by the district.~~

Limits on Compensation for Retirees under PSRS

~~Retirees receiving a retirement allowance under the PSRS who are employed by the district may earn up to 50 percent of the annual compensation payable under the employing district's salary schedule for the position or positions filled by the retiree, given such person's level of experience and education, without a discontinuance of the person's retirement allowance. If the position in question is not subject to the district's salary schedule, an employed retiree may earn up to 50 percent of the annual compensation paid to the person or persons who last held such position or positions. If the~~

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~~position or positions did not previously exist, the compensation limit shall not exceed 50 percent of the annual compensation payable for the position in the school district that is most comparable to the position filled by the retiree.~~

~~In any case where a retiree under PSRS fills more than one position during the school year, the 50 percent limit on permitted earnings shall be based on the annual compensation of the highest-paid position occupied by the retiree for at least one-fifth of the total hours worked during the year.~~

Contracts

The contracts of all teachers employed on a regular, part-time basis must explicitly state the percentage of full-time equivalent (FTE) work for which they are contracted so that the district may accurately calculate the accumulation of tenure.

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Note: The reader is encouraged to check the index located at the beginning of this section for other pertinent policies and to review administrative procedures and/or forms for related information.

Adopted: 02/12/2007, eff. 07/01/2007

Revised: 04/18/2011; 06/13/2016;

Legal Refs: §§ 162.301, 168.101 - .130, .303, 169.322, .324, .331, .475, .560, .561, .596, .660,
RSMo.
5 C.S.R. 20-400.110, .220
16 C.S.R. 10-5.010, =6.060

Raytown C-2 School District, Raytown, Missouri