Policy

RETIREMENT OF PROFESSIONAL AND SUPPORT STAFF

Code GCQE/GDQC  Issued 5/13

Purpose: To establish the basic structure for the retirement of professional and support staff in a manner that will have a minimum amount of impact on the district’s instructional program.

District employees can select between the Public Employee Benefit Authority’s (PEBA) Defined-Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).

Any district employee who is a member of the State ORP may become eligible to receive distributions when he/she terminates employment or reaches age 59 ½.

Any district employee who is a member of the SCRS plan on or prior to June 30, 2012, may retire with full benefits after earning 28 or more years of creditable service (regardless of age) or at age 65 or older after earning five or more years of earned service. Retirement with reduced benefits is available to those members who are age 55 or older with at least 25 years of service credit or at age 60 or older after earning five or more years of earned service. Retirement requires the employee to separate from service.

Any district employee with an effective date of membership in the SCRS plan on or after July 1, 2012, may retire with full benefits after satisfying “the rule of ninety” requirement (age plus service equals ninety) or at age 65 or older after earning eight or more years of earned service. Retirement with reduced benefits is available to those members who are age 60 or older after earning eight or more years of earned service. Retirement requires the employee to separate from service.

The employee should notify the Human Resources Department in writing of his/her intent to retire as soon as possible, but not later than March 15 of the year in which he/she plans to retire.

An eligible employee wishing to retire during the course of the school year and to continue his/her employment as a retired employee must adhere to the current state statutes at the time of retirement and must be approved for rehire by the Superintendent.

Teacher and Employee Retention Incentive (TERI) program

School district employees who desire to participate in the TERI program should consult PEBA Retirement Benefits or the district’s benefits manager in order to ascertain current governing...
rules and regulations. Employees under TERI are retired for retirement benefit purposes and retain full employment rights and benefits. The employee should notify the Human Resources Department of his/her intent to participate in TERI as soon as possible, but not later than three weeks prior to his/her TERI start date. The TERI program will be phased out by June 30, 2018.

Adopted 8/31/82; Revised 8/31/82, 11/24/87, 1/22/91, 11/12/02, 5/28/13

The following policy is in accordance with current state law and subject to change. In the event there is a change to the state law, the law will supersede if the policy is not updated in a timely manner.

District employees can select between the South Carolina Public Employee Benefit Authority’s (PEBA) Defined Benefit Plan (SCRS) or Defined Contribution Plan (State ORP).

Any district employee who is a member of the State ORP may become eligible to receive distributions when he/she terminates employment or reaches age 59 ½.

Any district employee who is a member South Carolina Retirement System prior to June 30, 2012, may retire with full benefits if the member has five or more years of earned service, reached the age of 60, or has 28 or more years of creditable service and separated from service. A member who has reached age 60 may retire with reduced benefits.

Any district employee with an effective date of membership in the South Carolina Retirement System after June 30, 2012, may retire with full benefits if the employee has eight or more years of earned service, reached the age of 60, or satisfied “the rule of ninety” requirement (age plus service years equals ninety) and has separated from service.

The employee should notify the board in writing of his/her intent to retire as soon as possible but not later than March 15 of the year in which he/she plans to retire.

An eligible employee wishing to retire during the course of the school year and to continue his/her employment as a retired employee must adhere to the current state statutes at the time of retirement.

An employee who retires after January 1, 2013, and returns to the district after the required thirty day separation may earn up to $10,000 each calendar year without affecting his/her retirement benefits. The working retiree forfeits any additional retirement benefits for the remainder of the year after he/she has earned the maximum of $10,000 and continues in employment. Certain positions may qualify for a waiver as outlined by the South Carolina Department of Education.

The board must approve ratify the employment of all state retirees as recommended by the superintendent, whether recommended to fill a certified or classified position, and no such

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Employment will be approved for more than one school year (or the remainder of the current school year) at a time and subject to consideration for re-employment annually. All working retirees in the district will be classified as “at will” employees, which means they can be removed from service at any time and without protected cause.

**Teacher and Employee Retention Incentive (TERI) Program**

The TERI program is not available to new employees hired after July 1, 2012, and will not be in effect after June 30, 2018.

School district employees who desire to participate in the TERI program should consult the South Carolina Public Benefit Authority or the district’s benefits coordinator in order to ascertain current governing rules and regulations. Employees under TERI are retired for retirement benefit purposes and retain full employment rights and benefits.

Sick leave benefits at the time of TERI retirement may be credited for retirement benefit calculations. Any remaining balance will be brought forward into the TERI term of employment. Any such entitlements are to be determined by reference to the school district’s leave policy. TERI participants are eligible for cumulative leave.

Vacation leave benefits are the same as for non-retired employees.

Once participation in the TERI program ends, an employee who returns to the district is considered an “at will” employee, which means they can be removed from service at any time and without protected cause. However, the retired employee is not guaranteed further employment in the district.

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**Legal references:**

**A. Federal Law:**


**B. S.C. Code, 1976, as amended:**

1. Section 9-1-10 Teachers are members of the state retirement system.
2. Section 9-1-1510, (A), (B) Retirement eligibility (Class One or Two member, Class Three member).
3. Section 9-1-1515 Early retirement.
4. Section 9-1-1550 Service retirement allowances.
5. Section 9-1-2210 Teacher and Employee Retention Incentive Program.
Legal References:

A. Federal Law:

B. S.C. Code, 1976, as amended:
   1. Section 9-1-10 - Teachers are members of the state retirement system.
   2. Section 9-1-1510(A) and (B) - Retirement eligibility (Class One or Two member; Class Three member).
   3. Section 9-1-1515 - Early retirement.
   4. Section 9-1-1550 - Service retirement allowances.
   5. Section 9-1-2210 - Teacher and Employee Retention Incentive Program.