

Your Question:

You asked about state policies that allow retired teachers to return to the classroom to address teacher shortages without compromising their retirement benefits.

Our Response:

As state and [federal policymakers](#) grapple with ongoing teacher shortages — an issue that predates the COVID-19 pandemic and was [exacerbated by it](#) — a few states have turned to recruiting recently retired teachers back into the classroom, as full time teachers or substitute teachers. This policy solution is often viewed as a low-cost way to expand the pool of qualified teachers and quickly fill employment gaps in schools that are desperate for instructors. This State Information Request outlines a few examples of states currently employing this strategy to address teacher workforce needs. We would like to note the state examples below do not constitute a comprehensive review of all existing state policies.

State Examples

Colorado

In 2017, Colorado enacted [H.B. 17-1176](#) to incentivize retired teachers and other school personnel to return to rural schools experiencing employee shortages. Re-hired retired teachers receive a salary without a reduction in state pension benefits. However, the policy stipulates that retirees may only return as teachers for a maximum of six years. After reviewing the effects of the policy, the Colorado Legislative Council [projected](#) the policy would increase state revenue, as the re-hired school employees and school district would contribute to the state pension system without any corresponding increase in pension liability.

Kentucky

In 2021, Kentucky enacted [H.B. 163](#), which allows the education professional standards board to issue a 10-year emeritus certificate to applicants who retired less than one year prior to the expiration of their certificate, meet standards set forth in regulation and complete the required application. The bill also requires the professional standards board to issue a one-time, five-year exception certificate to individuals whose certificates have expired, who hold certain certificate ranks upon expiration, who meet requirements in regulation, who completed three years of classroom instruction prior to expiration and who have completed the required application.

North Carolina

In 2019, North Carolina enacted [S.B. 399](#) to allow certain retired teachers to return to work in Title I schools or schools that receive an overall performance grade of “D” or “F” while still receiving their retirement benefits. Retired teachers may qualify depending on their age and/or creditable years of service after attaining one of the following:

- The age of 65 with 5 years of creditable service.
- The age of 60 with 25 years of creditable service.
- 30 years of creditable service.

State law requires retired teachers to be hired under a one-year renewable contract. General teachers are paid on the first step of the teacher salary schedule ([currently \\$36,000 annually](#)); STEM and special education teachers are paid on the sixth step of the teacher salary schedule (\$41,000 annually). Retired teachers may not receive state salary

supplements or salary increases; however, teachers may receive local salary supplements. The law was in effect from July 1, 2019 through June 30, 2021.

Oklahoma

Oklahoma enacted [S.B. 428](#) in 2017 to create a three-year pilot program that allows retired classroom teachers — who have been retired for at least one year — to be re-hired as teachers. Teachers who returned to work during this period will not be subject to the state’s earning limitations at the end of the three-year pilot. In 2021, the state passed [S.B. 267](#), which extends the program for three years.

Tennessee

Under the [Tennessee Consolidated Retirement System](#) (TCRS), retired K-12 teachers may accept a one-year untenured position without loss of retirement benefits under the *Limited Reemployment of Retired Teachers* exemption. However, the state stipulates three requirements before a district can re-hire a retired teacher:

1. The retiree must have an active, professional teacher’s license.
2. The district superintendent must certify that no other qualified applications are available to fill the position.
3. The commissioner of education certifies that the school system serves an area lacking qualified teachers to fill positions.

Re-hired teachers must be reported as non-participant status while employed under this exemption program.

In addition, Tennessee allows retired teachers to work as substitutes under the *120-day Temporary Employment* exemption. A retiree’s compensation is limited to 60% of the annual full-time salary the retiree received in the year before their retirement. The limit on the salary increases by 5% for each year after retirement. Retired teachers working as substitutes may work beyond 120 days unless the additional days would cause their salary to exceed the salary rate set by the school for substitute teachers.

West Virginia

State policy ([W. Va. Code Ann. § 18A-2-3](#)) allows school districts to employ retired teachers as “critical needs substitute teachers” for specific areas designated by the state board of education. Re-hired substitute teachers are considered day-to-day, temporary, part-time employees. While working in this capacity, retired teachers are eligible to be employed without any loss of retirement benefits if the retired teacher’s retirement was effective the fiscal year before their employment. This policy is effective until fiscal year 2026.

Other Resources

- [Return-to-Work/Employment After Retirement](#) (2000-2013)
 - This somewhat dated resource from the [National Association of State Retirement Administrators](#) offers a legislative round up of bills proposed and enacted related to employment after retirement.
- [Bringing Back Retired Teachers Offers Benefits, Challenges](#)
 - This article discusses various state efforts to re-hire retired teachers, including non-legislative state actions.
- [Taking the Long View: State Efforts to Solve Teacher Shortages by Strengthening the Profession](#)
 - In this report, LPI offers six evidence-based policy ideas states are pursuing to address teacher shortages, including re-hiring retired teachers.