

ACT 371

S.B. NO. 1628

A Bill for an Act Relating to Rehiring Retired Teachers in the Department of Education.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The department of education in its efforts to provide quality education for all students, continues to seek viable solutions to address its recruitment needs in maintaining a teacher applicant pool capable of addressing continuing teacher shortages in areas such as special education, mathematics, science, industrial arts, and Hawaiian immersion. Less severe shortages also exist for English teachers. Neighbor Island schools, particularly schools in more isolated areas, are experiencing shortages in all fields.

The pool of applicants for these shortage areas is projected to exist for at least another five years. Given the fact that the pool of applicants for the aforementioned shortage areas must be rebuilt each year because fully certified applicants in shortage fields are quickly depleted, the legislature believes that there are high quality teachers who participated in the 1995 early retirement incentive program who, provided they could be rehired on a full-time basis without loss of their current

retirement benefits, would be willing to return to a classroom teaching position on a year-to-year basis, until the shortage areas no longer exist.

SECTION 2. The department of education may employ retired teachers at up to one hundred per cent full-time equivalents in teacher shortage areas identified by the department, with prior approval of the superintendent of education and pursuant to collective bargaining agreements. The specific provisions of sections 88-21, 88-42.5, 88-43, 88-45, and 88-46, Hawaii Revised Statutes, and any other statute to the contrary notwithstanding, those retired teachers who are rehired shall not earn retirement service credit, contribute to the retirement system, or gain additional retirement system benefits as a result of such employment; provided that the retired teacher shall continue to receive entitled normal retirement benefits without penalty.

SECTION 3. This Act shall take effect upon its approval and shall be repealed at the close of the 1997-1998 school year.

(Approved July 3, 1997.)