

C.R.S. § 24-51-1101. Employment after service retirement.

- (1.9) (a) (I) Subject to the provisions of subsection (1.9)(h) of this section, a service retiree who is a teacher, a school bus driver, or a school food services cook and is hired pursuant to subsection (1.9)(b) of this section by an employer in the school division of the association that satisfies the criteria specified in subsection (1.9)(a)(II) of this section may receive salary without reduction in benefits for any length of employment in a calendar year if the service retiree has not worked for any employer, as defined in section 24-51-101(20), during the month of the effective date of retirement. A service retiree described in this subsection (1.9)(a) who works for any employer as defined in section 24-51-101(20), during the month of the effective date of retirement shall be subject to a reduction in benefits as provided in section 24-51-1102(2)
- (II) The provisions of this subsection (1.9) apply only if:
- (A) The employer in the school division of the association that hires the service retiree is a rural school district as determined by the Department of Education based on the geographic size of the school district and the distance of the school district from the nearest large, urbanized area and the school district enrolls six thousand five hundred students or fewer in kindergarten through twelfth grade;
 - (B) The school district hires the service retiree for the purpose of providing classroom instruction or school bus transportation to students enrolled by the district or for the purpose of being a school food services cook;
 - (C) The school district determines that there is a critical shortage of qualified teachers, school bus drivers, or school food services cooks, as applicable, and that the service retiree has specific experience, skills, or qualifications that would benefit the district.
- (b) An employer in the school division of the association that hires a service retiree pursuant to this subsection (1.9) shall notify the association upon hiring a service retiree pursuant to this subsection (1.9). A list of any and all service retirees employed by the employer shall be provided to the association at the start of each calendar year and shall be updated prior to any additional hirings during the same calendar year.
- (c) An employer in the school division of the association that hires a service retiree pursuant to this subsection (1.9) shall provide full payment of all employer contributions and disbursements in accordance with Part 4 of this article 51, and all working retire contributions in accordance with Part 11 of this Article 51, on the salary paid to the service retiree described in subsection (1.9)(a) of this section.
- (d) Any service retiree who is employed pursuant to this subsection (1.9) shall not be required to resume membership. Upon termination of such service retiree's employment, there shall be no benefit calculation reflecting additional service credit accumulated or any increase in the highest average salary of such person.
- (e) A service retiree who is employed pursuant to this subsection (1.9) shall not receive a health care premium subsidy pursuant to section 24-51-1206 during such employment.
- (f) Any service retiree who is employed pursuant to this subsection (1.9) shall be eligible to participate in the health plan offered by the employer.
- (g) The period during which a service retiree may receive salary without reduction in benefits and without limitation in a calendar year pursuant to his subsection (1.9) shall not exceed six consecutive years from the date the service retiree began work pursuant to this subsection (1.9).
- (h) A teacher who retires before he or she has met the age and service credit requirements for full service retirement benefits pursuant to section 24-51-602 shall not be employed after retirement pursuant to subsection (1.9) by the employer in the school division that was the teacher's last employer until two years after the teacher's date of retirement.
- (i) On or before December 1, 2020, the Association shall submit a report to the finance committees of the House of Representatives and the Senate, or any successor committees, regarding the employment after service retirement provisions of this subsection (1.9). The employers in the school division of the Association that employ teachers, school bus drivers, or school food services cooks pursuant to this subsection (1.9) shall provide information requested by the Association for the purposes of the report. The report shall include:
- (I) The number of teachers, school bus drivers, and school food services cooks who have been employed after service retirement pursuant to this subsection (1.9) as of the date of the report;
 - (II) The extent to which this subsection (1.9) has helped employers in the School Division address teacher, school bus driver, and school food services cook shortages;
 - (III) The costs, if any, to the Association as a result of this subsection (1.9); and
 - (IV) Any other information deemed relevant by the Association.