

Policy GBDB: Retired Teacher Employment

Status: DRAFT

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The Jackson County School District may allow retired teachers to return to the classroom to teach if at any time the district is designated by the Mississippi Department of Education (MDE) as having critical shortages and/or critical subject area shortages. Teachers may return to employment after retirement if they meet certain criteria under law. A retired teacher must:

1. Have at least 30 years of credible service at the time of their retirement;
2. Have been employed as a public school teacher at the time of retirement;
3. Have been retired at least 90 days;
4. Be currently receiving a retirement allowance; AND
5. Have a standard Mississippi teaching license.

Teachers who retired with 25 years of creditable service as of July 1, 2024, may also qualify if they meet all other requirements above. Retired teachers may return to employment for a total of five (5) consecutive or intermittent years. If any reemployed retiree works for any portion of a scholastic year less than a full contractual term of traditional teachers, the time worked by the retired teacher shall constitute one of the five allowable years of post-retirement teaching eligibility.

The person considered for reemployment must also meet other conditions such as the possession of adequate licensure and endorsement in the applicable subject area and certification by the local superintendent that the teacher possesses the requisite experience, training and expertise relevant to the position to be filled. The teacher must have possessed a satisfactory performance review before retirement and cannot have any preexisting arrangement of employment.

The district shall rely on the salary schedule in Section 37-19-7 in considering the salary for a retired teacher; provided, however, that the district may allocate up to 125% of the amount provided under the salary schedule comparable to the teacher's years of service and license type as salary and assessment under the program. After determining the retired teacher's compensation, the district may pay no more than 50% of the retired teacher's compensation as salary to the retired teacher. The remaining 50% of the retired teacher's compensation as salary shall be paid by the district to PERS as a pension liability participation assessment. The retiree will continue receiving his or her retirement allowance and be a contributing member of the system without accruing additional retirement benefits for five years of participation.

A retired teacher shall be entitled to work in any applicable school district and shall not be obligated to remain in any one district for the entirety of his or her post-retirement teaching eligibility.

The Jackson County School District may employ any Public Employees' Retirement System (PERS) retiree for a period of time agreed to between the employee and the school district. Compensation for this service shall be in an amount not to exceed eighty percent (80%) of the salary in effect for the position at the time of employment.

CONTRACT

A written agreement for employment may only be executed after the conclusion of a thirty (30) day separation period following the employee's retirement. The written agreement must detail:

1. The covered employment position.
2. The full salary of the position.
3. The percentage of salary the returning employee will receive as compensation.

Both the District and the employee must sign the agreement and provide a copy to the retirement system. Any subsequent amendments to the terms and conditions must be in writing, signed by both parties, and provided to the system within 20 working days of the execution of the agreement.

The District is responsible for the entire amount of required contributions to the system. This amount shall be equal to the sum of the current employer contribution rate and the current employee contribution rate in effect in the year of the return-to-work employment.

The agreement shall state that the employee shall not gain any additional rights or benefits toward retirement from returning to work under Miss Code 25-11-127(4)(c). Employer contributions are designed solely to offset any pension liability created by this employment.

RESTRICTIONS

No retiree may return to work under Miss Code 25-11-127(4)(c) as a superintendent.

No retiree whose retirement allowance is subject to an actuarial reduction (other than as a result of taking partial lump-sum distribution or any other optional benefit under Miss Code 25-11-115) may return to work under Miss Code 25-11-127(4)(c).
