



HOUSE BILL 428: Teacher Licensure/Retired Educator Program.

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	April 27, 2021
Introduced by:	Reps. Elmore, Brody, Miller, Clemmons	Prepared by:	Jason Moran-Bates
Analysis of:	Third Edition		Staff Attorney

OVERVIEW: *House Bill 428 would make the following changes:*

- *Part I – Make the limited license for certain teachers renewable and require development of alternatives to examination requirements to convert to a continuing professional license. It would also allow the governing board of a public school unit request a residency license.*
- *Part II. – Extend the sunset on the program to allow retired educators to return to work in high-need schools to 2024 and expand the program to include retired instructional support personnel.*

CURRENT LAW: Currently, limited licenses granted to teachers with an out-of-state license or to teachers who do not meet the requirements for a non-limited license are not renewable. Residency licenses can only be requested by local boards of education.

Retirees of the Teachers' and State Employees' Retirement System (TSERS) must meet certain conditions to return to work with a TSERS employer while continuing to receive the monthly TSERS retirement benefit, including a break in service and earnings restrictions. S.L. 2019-110, as amended by S.L. 2019-212, created an exception to these requirements (program) to allow qualifying retired teachers to return to work in high-need schools and still receive full retirement benefits.

To qualify for the program, the teacher must have retired on or before February 1, 2019, and be reemployed on an annual contract by a local board of education to provide classroom instruction as a teacher exclusively at a high-need school or schools. A high-need school is a school that, at any point on or after July 1, 2017, (i) is a Title I school as defined by federal law or (ii) receives an overall school performance grade of D or F, as calculated by the State Board of Education (SBE). Teachers rehired under the program are paid on the first step of the teacher salary schedule, except for STEM (science, technology, engineering, and math) and special education teachers, who are paid on the sixth step of the salary schedule. The program expires June 30, 2021.

BILL ANALYSIS: Part I of the bill would make the limited license a renewable license, and require the local board to evaluate the teacher's effectiveness every three years. The teacher would be required to demonstrate that he or she met or exceeded expectations in subjects evaluated using the Education Value-Added Assessment System (EVAAS). Part I would also allow any governing board of education to request a residency license.

The SBE would be required to report to the Joint Legislative Education Oversight Committee on these items and recommended legislative changes by February 15, 2022.

Part II of the bill would extend the program allowing retired teachers to work in high-need schools to June 30, 2024, and expand eligible participants to include instructional support personnel and principals who

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meet the previously enacted retirement requirements and are reemployed in either a high-need school or by the innovative school district. Those instructional support personnel rehired under the program would be paid on the first step of the teacher salary schedule, except for school psychologists, school speech pathologists licensed at the master's level or higher, and school audiologists licensed at the master's level or higher, who would be paid on the sixth step of the salary schedule.

EFFECTIVE DATE: Except as otherwise provided, HB 428 would become effective when it becomes law.

****Kara McCraw of the Legislative Analysis Division substantially contributed to this summary.*