

EARLY RETIREMENT OPTION

As an incentive to early retirement, the Governing Board may offer the addition of two years' service credit to a certificated employee under the State Teachers' Retirement System. (Education Code 22714, 44929)

Before taking formal action to implement this option, the Board shall determine that encouraging early retirement would be in the best interest of the district due to the curtailment of services or changes in the manner in which services are performed. The Board shall also consider the availability of teachers or academic employees to fill the positions that would be vacated. (Education Code 22714, 44929)

The Board shall certify to the County Superintendent that at least one of the following results is expected: (Education Code 22714, 44929)

1. A net savings to the district
2. A reduction of the number of certificated employees as a result of declining enrollment
3. The retention of certificated employees who are credentialed to teach in disciplines where a teacher shortage exists

To be eligible for this option, the employee must have five or more years of service credit and must retire during a period of 60 to 120 days after the Board takes formal action to implement the option. (Education Code 22714, 44929)

In providing the early retirement option, the district shall meet all additional conditions as found in Education Code 22714 and 44929.

Participation in the early retirement option shall be in accordance with law and the provisions of negotiated agreements.

Legal Reference:

EDUCATION CODE

22714 Service credit under STRS; additional two years

44929 Service credit under STRS; additional two years

COURT DECISIONS

United Teachers-Los Angeles. v. Los Angeles Unified School District (1994) 94 Daily Journal D.A.R. 6337