

# Davis Joint USD

## Board Policy

### Early Retirement Option

BP 4117.13 and 4317.13

#### Personnel

When it is beneficial to the district, the ~~Governing Board of Education~~ may offer certificated employees the option to retire early in accordance with law.

#### Two Years of Service Credit Retirement Incentive

As an incentive to early retirement for certificated employees participating in the State Teachers' Retirement System (STRS), the Board may offer such employees an additional two years of service credit. (Education Code 22714, 44929)

Before taking formal action to approve this service incentive, 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 and that the retirement will result in a net savings to the district. The Board shall demonstrate and certify to the County Superintendent of Schools that the formal action taken would result in a net savings to the district. (Education Code 22714, 44929)

The Board may also consider the impact of the early retirement option on the staffing needs of district school ~~and the ability to satisfy federal requirements for highly qualified teachers pursuant to 20 USC 6319.~~

~~(cf. 4112.24 Teacher Qualifications Under the No Child Left Behind Act)~~

To be eligible for the two years of service credit 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)

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

#### Legal Reference:

##### EDUCATION CODE

22714 Service credit under STRS; additional two years

44929 Service credit under STRS; additional two years

~~UNITED STATES CODE, TITLE 20~~

~~6319 Highly qualified teachers~~

##### COURT DECISIONS

United Teacher of Los Angeles v. Los Angeles Unified School District (1994) 24 Cal.App. 4th

1510

Management Resources:

CALIFORNIA STATE TEACHERS' RETIREMENT SYSTEM PUBLICATIONS

Retirement Incentive Program, Frequently Asked Questions

WEB SITES

California State Teachers' Retirement System: <http://www.calstrs.com>

Policy DAVIS JOINT UNIFIED SCHOOL DISTRICT

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Revised: