

FREQUENTLY ASKED QUESTIONS

REQUIREMENTS TO EMPLOY RETIRED INDIVIDUALS

1. When will the critical need subject areas and schools list for the employment of retired certified teachers for School Year 2024 – 2025 be published on the SCDE’s website?

Answer: The critical need subject areas and schools list for School Year 2024 – 2025 was published to SCDE’s website the week of March 18.

2. Where can I find the provisions of a retired educator returning to the classroom in a critical subject area or a critical geographical needs area?

Answer: S. C. Code Ann. § 9-1-1795. The retired member must be a certified teacher and teach in his/her area of certification either in a critical subject area or geographical need area as defined by the State Board of Education.

3. Where can I find information on the amount that a retiree can earn upon returning to employment?

Answer: S.C. Code Ann. § 9-1-1790. The \$10,000 earnings limitation applies to individuals who retired after January 1, 2013, or did not reach the age of 62 at retirement. If applicable, an individual’s first day in the TERI program is considered the date of retirement.

4. Who do I contact to complete an Assurance Form for Meeting the Requirements to Employ Retired Individuals to Qualify for the Salary Cap Exemption?

Answer: Contact your district’s HR office. Your HR office will complete the form on your behalf. User roles for a designated district staff member will be established to complete the assurance forms through the SCDE web portal. Once user roles are assigned to the district retiree assurance form submitter, a “Go Live” date will be announced through the SCDE. The “Go Live” date will indicate that forms may be submitted through the web portal. The “Go Live” date will be announced the week of April 22.

5. What are the requirements of the district regarding the hiring process of a retired individual?

Answer: The school district is assuring (1) school board hiring practices were followed; (2) a non-retired member, if available, was considered for the position;

and (3) the retired educator considered for the position was the best qualified applicant, and no qualified, non-retired member was available.

6. If I am a retired educator and my certificate has expired, or I am waiting for certificate renewal can I still have my district human resources complete an Assurance Form for Meeting the Requirements to Employ Retired Individuals?

Answer: No. Your professional teaching certificate must be current and cover the school year in which you will be teaching.

7. When can school districts notify retired educators of employment?

Answer: Proviso 1.64 of the 2023 – 2024 Appropriation Act states that for the current fiscal year school districts may notify retired educators of employment in writing on or before May 1.

8. Is the retiree assurance form only for certified staff?

Answer: The retiree assurance form is only for certified retired educators. The law was designed to address the teacher shortage in South Carolina.

9. Would the position of Assistant Principal or Principal qualify for the salary cap exemption?

Answer: The position of Assistant Principal or Principal would qualify for the salary cap exemption if their professional certificate is up to date and they are working in a school that is on the critical geographic needs list.

10. Would a Reading Interventionist, Reading Coach, Instructional Coach qualify for the salary cap exemption based on a critical subject area?

Answer: Please refer to the link below regarding recent amendments to the Read to Succeed Act.

[Read to Succeed Amendments](#)

An instructional coach must have appropriate certification in the subject taught or must be certified as a principal or supervisor. The instructional coach must teach students in a classroom setting.

11. Would my school district have to complete a retiree assurance form on my behalf if I am a recurring retiree that plans to teach in a classroom in School Year 2024-25?

Answer: An assurance form must be completed every school year in which a returning retired educator is employed.