

SP4117.13 Early Retirement Option
Personnel

Status: ADOPTED
June 21, 2016

When it is beneficial to the Modoc County Office of Education, the Modoc County Superintendent of Schools or designee may offer certificated and classified 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 Superintendent 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 Superintendent shall determine that encouraging early retirement would be in the best interest of the County Office 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 County Office.

The County Superintendent may also consider the impact of the early retirement option on the staffing needs of County Office schools and programs

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 60-120 days after the Superintendent takes formal action to implement the option. (Education Code 22714)

Legal Reference:

EDUCATION CODE

22714 Service credit under STRS: additional two years

44929 Service credit under STRS: additional two years

COURT DECISIONS

United Teacher of Los Angeles v. Los Angeles Unified School District (1994) 24 Cal.App. 4th 1510