

**KENAI PENINSULA BOROUGH SCHOOL DISTRICT**  
**Resolution 21-22-3**

**A resolution supporting the Reemployment of Retirees, SB185**

- WHEREAS,** the Kenai Peninsula Borough School Board, located In Soldotna, Alaska, requests to enter into an agreement to allow the reemployment of retired teachers as allowed under Senate Bill 185;
- WHEREAS,** the Kenai Peninsula Borough School District experiences a shortage of candidates in certain teaching areas or disciplines which inhibit our ability to fill vacancies with qualified individuals;
- WHEREAS,** the reemployment of retired teachers in shortage areas provides an opportunity to access the extensive expertise and experience of a group of professionals on an annual basis to fill the vacancies that may not otherwise be filled;
- WHEREAS,** members retired under AS 14.25. 110 (a) who are reemployed by a School District under AS 14.20.136: will not become an active member; will continue to receive retirement benefits from the plan and benefits through reemployment by the School District; will not pay contributions under AS 14.25.050; will not accrue additional service credit during the period of reemployment; and will be eligible to receive the group health plan coverage provided to active members employed by the District;
- WHEREAS,** the passage of SB 185 allows for the reemployment of retired teachers who are members of AS 14.25.009 - 14.24.220 and or members of 14.25.310 - 14.25.590 where the contract for reemployment may not exceed 12 months and who are reemployed by a school district as defined by AS 14.30.350;
- WHEREAS,** the District will adhere to the bona fide separation rules, which require all retirees to have no prearrangement of reemployment prior to retirement and experience a minimum of 60 days of separation of employment If the member is at least 62 years of age or six months of separation if the member is less than 62 years of age;
- WHEREAS,** the District will be required to publicly advertise the position for 10 business days and actively recruit to fill the position by hiring another person other than a member who is retired under the Defined Benefit Plan established in AS 14.25.009 - 14.25.220;
- WHEREAS,** the District will provide the Plan Administrator for the Division of Retirement and Benefits with a copy of the adopted resolution, an initial report identifying every rehired member who is retired, an annual report summarizing the fulfillment of the requirements established in SB 185, and
-

a description of the circumstances of the shortage that necessitated the rehire of the retiree to include actions taken by the District to comply with the policy adopted under SB 185;

**WHEREAS,** the District will make contributions by applying 12.56% to the total base salaries paid by the employer to active members of the system and to members retired from the plan and reemployed under AS 14.20.136, including any adjustments to contributions required by AS 14.25.173(a);

**NOW, THEREFORE, BE IT RESOLVED** that the Kenai Peninsula Borough School District Board of Education supports the rehire of retired teachers when faced with a shortage of qualified applicants to fill vacancies as allowed under SB 185;

**NOW, THEREFORE, BE IT FURTHER RESOLVED** that the Kenai Peninsula Borough School District Board of Education authorizes and directs the Kenai Peninsula Borough School District Administration to initiate an agreement between the District and the State of Alaska Department of Administration as outlined above to allow the rehire of retired teachers consistent with SB 185, all requirements and provision are incorporated herein by reference and made a part of the resolution to the same extent and with the same force as if fully set forth therein.

**Adopted by the Kenai Peninsula Borough School District Board of Education  
this 6th day of June 2022.**

---

John Kelly, President  
Board of Education  
Kenai Peninsula Borough School District

---

Attest:  
Lisa Gabriel  
Notary Public, State of Alaska  
My Commission Expires 04/23/2022