



WINDHAM SCHOOL
DISTRICT

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DATE: August 21, 2009
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SUPERSEDES: OP-07.17
September 7, 2004

SUPERINTENDENT DIRECTIVE

SUBJECT: RE-EMPLOYMENT AND SELECTION OF RETIREES

AUTHORITY: Windham Board Policy (WBP)-3.02, "Windham School District Superintendent Responsibilities and Authority"

APPLICABILITY: Windham School District (WSD or district)
Project RIO positions shall be governed by the Texas Department of Criminal Justice (TDCJ or agency), PD-84, "Reemployment and Selection of Retirees."

EMPLOYMENT AT WILL CLAUSE:

These guidelines **do not** constitute an employment contract or a guarantee of continued employment. The district reserves the right to change the provisions of these guidelines at any time.

Nothing in these guidelines and procedures limits the superintendent's authority to establish or revise human resources policy. These guidelines and procedures are adopted to guide the internal operations of the district and **do not** create any legally enforceable interest or limit the Superintendent's authority to terminate an employee at will.

POLICY:

Retirees who retired from state employment through the Teacher Retirement System of Texas (TRS) or the Employees Retirement System of Texas (ERS) shall be eligible for employment or re-employment consideration by the WSD in accordance with this directive. An employee retiring from the WSD, under either the TRS or ERS, forfeits any and all rights to the position held at the time of retirement.

PROCEDURES:

I. Application Procedures

- A. A TRS/ERS retiree who is seeking consideration for a WSD position must submit a State of Texas Application for Employment and any other documents required for the position posting.
- B. The TRS/ERS retiree should clearly write "TRS Retiree" or "ERS Retiree" at the top of each application form, regardless of length of separation from state employment or whether the retiree has held a WSD or state position since retirement, in order that the WSD human resource contact person may verify that the retiree has been separated for the required amount of service.

II. Required Periods of Separation

- A. An individual who retired from ERS must be separated from state employment for at least one full calendar month after the effective date of retirement before the individual is eligible to apply for employment by the WSD (e.g., if the retiree's effective dates of retirement was January 31, one full calendar month would be March 1).
- B. An individual who retired from TRS is eligible to apply for employment by the WSD if the retirement effective date is **before** September 1, 2005.

III. Clearance for Selection

- A. If a TRS retiree is the final applicant for a posted position, the WSD Human Resources Specialist for Applications shall access the TRS Reporting and Query System during the clearance process to verify that the retirement effective date is in accordance with the dates set out in Section II.
- B. If an ERS retiree is the final applicant for a posted position, the WSD Human Resources Specialist for Employees shall access the TDCJ Payroll/Personnel System under the Employee Assignment Detail screen to verify that on the effective date of employment, the ERS retiree will have been separated from employment in accordance with the required time periods in Section II.

IV. Exceptions

Vacant positions, which are determined by the superintendent to be in an "acute shortage area," are not affected by the provisions of this policy regarding reemployment of TRS retirees; such positions may be filled at the discretion of the superintendent.

Debbie Roberts, Superintendent
Windham School District