

Senate Bill 765

Teacher Retention

SB 765

Would temporarily increase the salary cap and waive the 180-day mandatory waiting period local educational agencies must observe before hiring a recently retired teacher.

Authored by Sen. Anthony Portantino

SB 765 earns CSBA Gold Star status because it addresses one of the state's most pressing and intractable problems: the teacher shortage. SB 765 represents one of — if not the only — option the Legislature and Gov. Gavin Newsom have to immediately address the state's educational staffing shortage. Significant investments made in the 2021–22 state budget in teacher recruitment and retention by the state will take time to bear fruit, a development we will not see for at least three to five years.

Why is it needed?

Long before COVID-19, California schools struggled to hire enough well-prepared teachers to provide every student with high-quality instruction. The impact of the pandemic transformed this shortage into a full-blown crisis. A dwindling pool of candidates hinders the ability of school districts and county offices of education to place qualified personnel in the classroom and provide students with the best possible learning experience.

Teacher shortages

- ▶ leave schools with high rates of vacancies
- ▶ force schools to rely on underprepared teachers and substitutes
- ▶ result in increased class sizes
- ▶ cause teachers to be assigned outside of their areas of training
- ▶ result in more teachers with substandard credentials
- ▶ exert a disproportionate impact on low-income, minority and English learner students, leaving them with less access to high-quality instruction from fully credentialed teachers
- ▶ present a great challenge for districts in rural and remote parts of the state
- ▶ make it harder for disadvantaged students to recover the ground lost to their peers during the pandemic

How does it work?

Currently, retired teachers must wait 180 days, a full school year, before returning to the classroom. And when they do return, a salary cap limits their earnings to approximately 50 percent of the normal salary for the position they are filling, effectively limiting their service to slightly less than one semester.



These guardrails were put into place to encourage the recruitment and retention of new teachers, and understandably so. But given the unprecedented staffing shortages schools are experiencing, temporary modification of these measures is needed. SB 765 strikes a balance between the desire to address the educational staffing shortage we face now, and the long-term protections required to ensure the financial resiliency of California State Teachers' Retirement System (CalSTRS).

SB 765 would temporarily increase the salary cap and waive the 180-day mandatory waiting period LEAs must observe before hiring a recently retired teacher. Together, these two changes would provide a modest, yet much-needed tool LEAs can use to address our state's school staffing shortages.

How will it help?

SB 765 would provide temporary yet immediate relief to school districts and county offices of education struggling with the teacher shortage. Retired teachers are some of the best-equipped candidates to hit the ground running and provide high-caliber instruction and services to our students. Facilitating the return of retired teachers to the classroom provides schools with a critical tool to help ensure all students have a qualified teacher in the classroom.