

STATE BOARD OF COMMUNITY COLLEGES

Report to the General Assembly  
on  
Reemployment of Retired Nurses  
Session Law 2009-137  
January 1, 2011

This report is respectfully submitted by the State Board of Community Colleges in adherence with Session Law 2009-137 which requires that:

*The North Carolina Community College System and The University of North Carolina shall report in writing to the General Assembly by January 1, 2011, on whether the reemployment of retired nursing instructors under this act is effectively assisting the community colleges and the universities to address the shortage of qualified nursing instructors.*

Session Law 2009-137 became effective July 1, 2009, and expires June 30, 2013. It notes that:

*The computation of postretirement earnings of a beneficiary under this sub-division who retired on or before June 1, 2009, regardless of age or years of creditable service, or who retires on or after July 1, 2009, after attaining (i) the age of at least 65 with five years of creditable service; or (ii) the age of at least 60 with 25 years of creditable service; or (iii) 30 years of service; and who has been retired six months and has not been employed in any capacity with a State-supported community college or a State-supported university for at least six months immediately preceding the effective date of reemployment, shall not include earnings while the beneficiary is employed to teach in a permanent full-time or part-time capacity that exceed fifty percent (50%) of the applicable workweek as a nursing instructor in a certified nursing program for a maximum of three years.*

In addition, Session Law 2009-137 requires:

*In order for a retired nursing instructor to be rehired, the community college or university must certify to the Teacher's and State Employees' Retirement System that it has a shortage of qualified nursing instructors, and must:*

- 1. Make a good faith effort to fill positions with qualified nursing instructors who are not retirees;*
- 2. Post the vacancy or vacancies for at least two months;*
- 3. Solicit applications through local newspapers, other media, and nursing education programs; and*
- 4. Determine that there is insufficient number of eligible applicants for the advertised position or positions.*

In October, each community college with an approved nursing program was surveyed to determine if they had re-employed any retired nursing instructors for their programs since this

act was implemented July 1, 2009. Since July 2009, none of the responding colleges has re-employed a retired nursing instructor in a full-time position. Six community colleges have employed retired nursing instructors on a part-time basis.

Colleges identified potential barriers for re-employing retired nursing instructors full-time:  
Identified barriers were

- (1) The requirement to be retired six months and not employed in any capacity with a State-supported college or a State-supported university for at least six months immediately preceding the effective reemployment date;
- (2) The immediacy of the faculty need makes the posting of the vacancy for at least two months impractical for the colleges;
- (3) Employing a “qualified” nurse who is not a retiree may not be the same as hiring an “experienced” retired nurse who can implement the curriculum without lengthy orientation/mentoring; and
- (4) Faculty salaries are not competitive with salaries in clinical settings thus limiting the applicant pool.

**Contact Person:**

Sharon E. Morrissey, Ed.D.  
Senior Vice President and Chief Academic Officer  
919.807.7196  
[morrisseys@nccommunitycolleges.edu](mailto:morrisseys@nccommunitycolleges.edu)