



Extend Pension Penalty Deferments

BOCES of New York State, the group representing the district superintendents of the 37 Boards of Cooperative Educational Services (BOCES) across the state **supports** the below referenced proposal and urges its inclusion in the SFY 2026 budget.

With staff shortages continuing across the state, many school districts and BOCES are relying on public sector retirees to fill vacancies for which other candidates cannot be found. These hard to fill vacancies include, but are not limited to, certified teachers, especially in special education, English language learners, technology, and advanced sciences, as well as health and mental health professionals. In addition, candidates for non-certified but equally critical staff, including school bus drivers and school resource officers remain elusive.

Pandemic era executive orders, and language in recently enacted state budgets, have allowed most public sector retirees to work in school districts and BOCES without pension penalties, regardless of age or income. However, this statutory authorization is set to expire at the end of the 2024-25 school year.

It is recognized that reliance on retirees is not a long-term solution, and BOCES of New York State was working with school districts, teacher preparation programs, other institutions of higher education, state agencies and other partners to build pipelines for these positions. However, as many of these positions require degrees or other training, they will take time.

While that work is underway, BOCES of New York State requests that this authorization be extended for an additional five years.