



# Employment of School Resource Officer

## Background

In 2018, the General Assembly passed [House Bill 366](#) establishing a new exception for employing retirees as School Resource Officers. This position and employment requirements are defined in [Kentucky Revised Statute 158.441\(5\)](#), which was amended in the 2019 General Assembly in [Senate Bill 1](#). A participating agency may be exempt from paying employer contributions and insurance reimbursements normally due on retired members employed as School Resource Officers, provided the retired member meets the following amended criteria:

- The retired member is an officer who has specialized training to work with youth at a school site; and is a sworn law enforcement officer; or a special law enforcement officers appointed pursuant to [Kentucky Revised Statute 61.902](#); and
- The retired member is employed either through a contract between a local law enforcement agency and a school district; or through a contract as secondary employment for an officer as defined in [Kentucky Revised Statute 16.010](#) between the Department of Kentucky State Police and a school district; or directly by a local board of education; and
- The retired member has met the separation of employment requirements found in [Kentucky Revised Statute 61.637](#). ([Read more about the reemployment requirements for retired members](#)).

The retired member may continue to receive retirement and health insurance benefits from Kentucky Public Pensions Authority (KPPA), unless otherwise prohibited by law, but will not pay into a second retirement account.

## Review and Approval Process

The review and approval process has two components: (1) employer reporting requirements and (2) retired member requirements. For employers to qualify for the exceptions described above, all requirements must be met.

## How to Qualify

Employers may be required to submit three (3) forms before the retired officer can be reemployed and qualify for the exceptions described above. The required forms, detailed below, are available on our website and in Employer Self Service.

1. [Form 6766](#) must be completed by the employer and submitted to KPPA.

**In addition**, if the reemployment occurs within the first twelve (12) months from the retirement date, the following forms are required to be submitted before the retired officer can be



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reemployed and qualify for the exceptions:

2. [Form 6751](#) must be completed by the employer and submitted to KPPA.
3. [Form 6754](#), Member Certification Form, must be completed by the retired member. The retired member must receive a determination from KPPA indicating that the reemployment does not violate the reemployment law established in [Kentucky Revised Statute 61.637](#). If the retired member does not receive this determination, the employer does not qualify for the reporting exceptions

### Processing Forms

Upon receipt of the [required documentation](#), all submissions are reviewed, and the requesting employer will receive notification whether the employee satisfies the legal requirements. Once approved, the employer may hire the retired member as a School Resource Officer and omit that employee from the monthly report. If the requirements are not met, the retiree may still be hired. If the retiree meets the definition of regular full-time pursuant to [Kentucky Revised Statute 78.510\(21\)](#), the retiree must be reported each month as Retired/Reemployed and the employer would be responsible for paying employer contributions and any required insurance reimbursements.

### Contract Review

KPPA is evaluating the review process and will provide additional guidance once this process is finalized.

### School Resource Officer Frequently Asked Questions

**When was the exception for the position of School Resource Officer effective?** The law was amended by the General Assembly in 2018. This change was effective April 14, 2018, allowing retirees to be reemployed in the position of School Resource Officer as defined by Kentucky Revised Statute 158.441 and be eligible for the reporting and reimbursement exceptions beginning in May 2018.

**Can a school board hire a School Resource Officer and qualify for these exceptions?** YES. In 2019, Kentucky Revised Statute 158.441 was amended to include that Boards of Educations may directly hire for the position of School Resource Officer.

**How will an employer know if the retiree has been approved under these provisions?** If the employer follows the proper procedures, KPPA will provide correspondence indicating approval, denial, or the need for additional information prior to making a determination. To avoid the requirements to submit employer contributions and insurance reimbursements, KPPA strongly suggests that the employer refrain from hiring the retiree until it has received confirmation of approval.



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**Who falls under the definition of School Resource Officer?** The definition of School Resource Officer can be found in [Kentucky Revised Statute 158.441](#).

**Are employers required to report retirees who qualify to KPPA?** Assuming KPPA has determined that the School Resource Officer qualifies, the employer is not required to report that employee on a monthly basis. However, KPPA may request reports on these employees to ensure proper reporting. Moreover, the required documentation must be completed, submitted to KPPA, and a written statement of approval issued before a School Resource Officer can be hired under these exceptions. If the School Resource

Officer is hired prior to the required paperwork being filed, the employer will be required to report and pay contributions for that retiree until the paperwork has been approved and the employer has received a response from KPPA. If the retiree does not meet the requirements, the employer will continue to report the employee to KPPA, pay employer contributions and insurance reimbursements, if KPPA is providing health insurance.

**What if a retiree has already been reemployed as a School Resource Officer, but may qualify under these provisions?** Once the proper documentation has been received and KPPA has issued a favorable response to the employer, the retiree's employment should be terminated and reported to KPPA. The employer may then rehire the retiree. If the retiree has already submitted and received approval to return to work for the employer, the retiree will not need to complete a new [Form 6754](#), but the employer will be required to submit [Form 6776](#). Please note that the employer must report, remit contributions and insurance reimbursements for the retiree until it receives confirmation from KPPA that the School Resource Officer qualifies for these exceptions.