

**Resolution No 2009-10: 1015B**

Amending Resolution No. 2009-10: 1015A to revise Effective Dates of Retirement Incentive Program - Part B

**By Member of the Board Commissioner Cruz**

WHEREAS, by Resolution No. 2009-10: 1015, adopted on June 17, 2010, the Board elected to provide the benefits of Part B of Chapter 105 of the Laws of 2010 (“Part B”), commencing on June 18, 2010, for all eligible employees who retired with an effective date set during the ninety-two (92) day period beginning with and immediately following the commencement date and who were otherwise eligible as specified in Part B; and

WHEREAS, on June 21, 2010, the District received written notification from the New York State Teachers Retirement System that the effective date of Part B must be a ninety (90) day period of June 2, 2010 through August 30, 2010, or June 3, 2010 through August 31, 2010; and

WHEREAS, in reliance upon the State Teachers Retirement System’s direction, on June 23, 2010, the Board approved Resolution 2009-10: 1015A which sought to make the “open period” for Part B retroactive to June 2, 2010 and cover the period of June 2, 2010 through August 30, 2010; and

WHEREAS, the New York State and Local Retirement System thereafter advised the District that Part B may not be implemented retroactively and should begin immediately after the date of election; therefore be it

RESOLVED, That the Board of Education of the Rochester City School District does hereby elect to provide the benefits of the 2010 Retirement Incentive Program, Part B - Chapter 105 of the Laws of 2010, to all eligible employees who retire with an effective date of retirement during an “open period” commencing on June 18, 2010, and ending on August 31, 2010, and who are otherwise eligible to participate in such program; and

RESOLVED, That the Superintendent, or his designee, be and hereby is, authorized to execute any and all documents necessary to implement such retirement incentive program.

**Seconded by Member of the Board Vice President Campos  
Adopted 6-0 with Commissioners Elliott absent**