

Hiring and Reporting School Security Officers or School Resource Officers

Introduction:

The *Code of Virginia* provides the following definitions:

- **School Resource Officer:**

Under *Code of Virginia* § 9.1-101, a School Resource Officer is defined as a certified law-enforcement officer hired by the local law-enforcement agency to provide law-enforcement and security services to Virginia public elementary and secondary schools.

Note: School boards do not hire School Resource Officers. School Resource Officers are hired by local law enforcement agencies.

- **School Security Officer:**

Under *Code of Virginia* § 9.1-101, a School Security Officer is defined as an individual who is employed by the local school board for the singular purpose of maintaining order and discipline, preventing crime, investigating violations of school board policies and detaining students violating the law or school board policies on school property or at school-sponsored events and who is responsible solely for ensuring the safety, security and welfare of all students, faculty, staff and visitors in the assigned school.

- **Retiree School Security Officer:**

Under *Code of Virginia* § 51.1-155, a member who retired under VaLORS, SPORS or as an eligible VRS-participating political subdivision hazardous duty employee may return to work full-time as a Retiree School Security Officer in a Virginia local school division following a break in service of 12 continuous calendar months. A Retiree School Security Officer carries out the duties of a School Security Officer (see above) and may work full-time while continuing to receive a monthly VRS benefit.

Key Considerations When Hiring:

Hazardous Duty Benefit Eligibility and Impacts:

- School boards do not hire School Resource Officers, only School Security Officers and Retiree School Security Officers. Law enforcement officers who are hired by a school board for full-time covered positions will no longer be eligible for reduced age and service provisions or higher multipliers if they retire from a school division. A member who had previously established eligibility for the hazardous duty supplement will not lose that eligibility. School Resource Officers are eligible for hazardous duty benefits if they are offered by their current employer: the local law enforcement agency.
- School Security Officers are not eligible to receive hazardous duty benefits.
- When hiring former law enforcement officers into full-time School Security Officer positions, consider the impact on the employees' hazardous duty benefits. When retirees return to work full-time, their benefit payments stop and they will fall under the plan provisions of the new position for their subsequent retirement, hazardous duty eligibility and other benefits. See the [Transferring Between Hazardous Duty Positions](#) job aid for more information.

Retiree Return to Work Impacts:

Review VRS [return-to-work rules](#) when hiring retirees. Changing a full-time position to part-time in order to hire a retiree is a violation of the return-to-work rules. Depending on the situation, the employer or the retiree found to be in violation will have to repay any benefit overpayments the retiree received while working full-time. Also consider the following key points:

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- If a VRS retiree is hired for a full-time position (covered position), their monthly benefit will stop and they will return to active employment.
- A VRS retiree may work part-time for the employer from whom they retired but must have a bona fide break in service of at least one full calendar month during a time when the employee would otherwise have worked and cannot have had a prearrangement with that employer.
- To be considered as working in a part-time, non-covered position, a retiree must work 80% or less of the hours required of the comparable full-time position. The 80% threshold for School Security Officers is based on a 10-month contract. A School Resource Officer's 80% threshold (1,664 hours) is based on a 12-month full-time schedule (2,080 hours per year). This does not apply to Retiree School Security Officers who return to work full time.
- A VRS retiree may continue to work while also collecting a retirement benefit if the retiree is hired into a specific position that is designated as an exception to the return-to-work rules (such as Retiree School Security Officer or a position designated as Critical Shortage).

Hiring a Retiree School Security Officer:

- Law enforcement retirees from employers who do not participate in VRS are not eligible to be hired into the Retiree School Resource Officer position because they are not VRS retirees.
- Sworn law enforcement officers who have retired from a VRS employer may be hired full time as Retiree School Security Officers by a school division under special circumstances as an exception to the return-to-work-rules. See the [Retirees Returning to Work](#) page on the VRS employer website for details.
- Retirees receiving VRS Disability retirement benefits and those receiving Line of Duty Act benefits are not eligible for the Retiree School Security Officer position and will forfeit their benefits if they return to work performing the same or similar duties as those they performed before being approved for disability retirement or LODA benefits.

Reporting:

myVRS Navigator:

The type of position determines which employer (law enforcement agency or school division) enrolls an employee in myVRS Navigator. A school division cannot enroll a School Resource Officer, and a county, city or town cannot enroll a School Security Officer.

School division employers must enroll full-time School Security Officers under their teacher plan (Employer Code 4) with the VRS job name Administrative/Support or Administrative/Support Contractual.

School division employers must enroll VRS retirees hired in the Retiree School Security Officer position with the VRS job name Retiree School Security Officer. myVRS Navigator will recognize the employee as a retiree, continue the monthly retiree benefit and place the retiree SSO in the VRS Employer Contribution Only plan.

Forms:

School boards that hire Retiree School Security Officers are required to complete and submit the *Certification of Retiree School Security Officer* form (VRS-160C) by September 1 each school year the retiree works in that position. The retiree and employer must sign the form each year.

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Questions?

Contact your employer representatives for school divisions:

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Quick Reference Guide:

	School Resource Officer	School Security Officer	Retiree School Security Officer
Employer	Local law enforcement agency.	Local school board.	Local school board.
Authority	Complies with federal, state and local statutes; enforces state law; responsible for custody and arrest in conformance with the law; use of force permissible as guided by department policy.	Complies with local school policies and regulations; primarily assigned to school campus activities; responsible for detaining individuals; acts in absence of parents (in loco parentis); use of force should be limited and in accordance with school policy.	Complies with local school policies and regulations; primarily assigned to school campus activities; responsible for detaining individuals; acts in absence of parents (in loco parentis); use of force should be limited and in accordance with school policy.
Hazardous Duty Eligibility	Yes, if employed by a sheriff's office or a political subdivision that offers hazardous duty benefits.	Not available.	Not available.

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	School Resource Officer	School Security Officer	Retiree School Security Officer
Retiree Returning to Work	<p>Full-time: The retiree becomes active and retirement benefits cease.</p> <p>Part-time: The retiree:</p> <ul style="list-style-type: none"> • Must work 80% or less of a full-time comparable position; • Is limited to 1,664 hours over 12 months; • Must not have a pre-arranged commitment with the employer before the retirement date; • Must have a bona fide break in service after retirement if returning to work for the employer from which they are retired. 	<p>Full-time: The retiree becomes active and retirement benefits cease.</p> <p>Part-time: The retiree:</p> <ul style="list-style-type: none"> • Must work 80% or less of a full-time comparable position in a 10-month contract; • Must have a bona fide break in service after retirement if returning to work for the employer from which they are retired. 	<p>The retiree:</p> <ul style="list-style-type: none"> • May continue to receive a retirement benefit while working full-time. • Must not have a pre-arranged commitment with the employer before the retirement date; • Must have a bona fide break in service of 12 continuous calendar months between retirement and employment. This break in service means not working in any full-time, part-time or volunteer position, including coaching and substitute teaching, with any VRS-participating employer, or working for a contractor with any VRS-participating employer. • Must not have retired with a reduced VRS benefit under any early retirement program; • Must not have retired under the Workforce Transition Act of 1995 or the Transitional Benefits Program with an enhanced VRS benefit; • Must not have taken VRS Disability retirement.
Contributions	<p>Full-time: Member and employer contributions.</p> <p>Part-time: No contributions.</p>	<p>Full-time: Member and employer contributions.</p> <p>Part-time: No contributions.</p>	<p>Employer contributions only.</p>