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STATE OF OKLAHOMA
TEACHERS' RETIREMENT SYSTEM OF OKLAHOMA

**Senate Bill 267 (Limited exception to post-retirement employment)
Summary**

SB 267 loosens post-retirement income restrictions for some retirees for a three-year period. The law becomes effective July 1, 2021.

SB 267 creates a limited exception to post-retirement employment for retired educators who retired prior to July 1, 2020 and who have been retired for at least one year – This bill was passed as an effort to recruit TRS retirees back to the classroom. This bill removes the statutory limitations on post-retirement employment earnings for three (3) years (July 1, 2021 through June 30, 2024). This exception is available only to members who retired on or before July 1, 2020, and who were not employed by any public school in any capacity during the twelve-month period immediately following their retirement date. Eligible retired members may only be hired as active classroom teachers without any limitation on earnings. These returning retirees must be hired on temporary contracts. Members returning to work under SB 267 will not receive any additional service credit towards their retirement calculation. Employers are required to remit both member and employer contributions to TRS for these members.

To be eligible, members must meet the following requirements:

1. The member must have a retirement date of no later than July 1, 2020 to ever get the benefit of this exception in SB 267.
2. Retirees must have been retired for at least one year to take advantage of SB 267. **In addition, retirees must not have been employed by any Oklahoma public school in any capacity during the one-year period immediately after their retirement.** That one-year period starts with the retiree's last day of preretirement public education employment.
3. Retirees must be hired as “active classroom teachers” when they return to work. That is defined in TRS statutes as follows: "Active classroom teacher" means a person employed by a school district to teach students specifically identified classes for specifically identified subjects during the course of a semester, and who holds a valid certificate or license issued by and in accordance with the rules and regulations of the State Board of Education.

***A member cannot return to work under SB 267 in any position other than an “active classroom teacher.” Employment as a superintendent, administrator or in other non-teaching positions is not eligible.**

In order to take advantage of SB 267, retirees and their school district/career tech employer must complete and submit an application establishing eligibility for this exception. This application can be found on the TRS website. This form should be completed prior to the member beginning employment and must be received by TRS no later than sixty (60) days of the member commencing employment.



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Frequently Asked Questions

1. I retired on August 1, 2020. Can I be rehired by a public school in one year with no salary restriction under the new law?

No. Only members who retired on or before July 1, 2020, may ever take advantage of the exceptions in SB 267.
2. I retired April 1, 2020. Can I be rehired by a public school starting August or September 2021 with no salary restriction under the new law?

Yes, assuming you did not work in any capacity for a public school district for twelve consecutive months immediately following your retirement. You could have returned any time on or after April 1, 2021 and still come under the exceptions of SB 267.
3. I retired as a high school counselor. Can I be rehired by a public school as a counselor in one year with no salary restriction under the new law?

No. To take advantage of the exception in SB 267, you must return to work as an “active classroom teacher.”
4. I retired on June 1, 2019 as an elementary school teacher. I worked part-time at an elementary school during the 2019-2020 school year. Can I work during the 2020-2021 school year without a limitation on my salary?

No. While you retired on or before July 1, 2020, you worked for a public school during the one-year period following your retirement date. Therefore, you are not eligible for the salary limitation exception under SB 267.
5. I retired on June 1, 2019 as an 11th grade science teacher. I was off work until August 1, 2020, when I returned to work part-time as a substitute teacher. Can I work during the 2021-2022 school year without a limitation on my salary?

Yes. The one-year work limitation begins on your last day of pre-retirement employment. That one-year period expired May 30, 2020, making you eligible to return to work as a classroom teacher without salary limitations.
6. I plan on returning to work under SB 267's exception. Will I be able to count this service as additional service years in calculating my retirement benefit?

No. Retirees returning to work under SB 267 will not receive any additional credit towards their retirement.