

# The STRS Election Form and 180-Day Window: A Brief Informative

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# The STRS Election Form

- \* STRS Circulars
  - \* 8/12/12: Identified examples of educational administrator positions CalSTRS deems NOT to be performing creditable service
  - \* 11/25/13: Opened a one-time 180 day window for **some** of those people to file election form to stay in STRS



# STRS and “Creditable Service”

- \* This is the larger issue
- \* Defined in Education Code § 22119.5
- \* Largely a K-12 concept
- \* Will probably require legislation to make it relevant to the roles of educational administrators
- \* Will also require legislation to correct status of people we thought were performing creditable service that STRS now is determining not to be eligible.



# Who Should File the Form?

- \* The form and the 180 day window are intended to help members who were previously faculty members or were otherwise performing service that CalSTRS would deem "creditable" and who
  - \* Have moved into a position performing service that is NOT deemed creditable by STRS
  - \* Did not previously file Form



# Who Should NOT File the Form?

- \* The Form does not resolve the situation faced by persons who never served as faculty members or in similar “creditable service” positions, but who have been placed in STRS because they were deemed to be “educational administrators” – e.g.:
  - \* Human Resources
  - \* Business/Administrative Services
  - \* IT



# When To File the Form

- \* If an educational administrator was previously employed by your district in a position deemed to be STRS creditable service, and moved into a position that is not performing creditable service, look to see if a form was filed.
- \* If not, file one now.



# When To File the Form

- \* If an educational administrator was previously employed elsewhere in a position deemed to be STRS creditable service, and moved into a position at your district that is not performing creditable service, look to see if a form was filed.
- \* If not, file one now.



# When To File the Form

- \* If an educational administrator was previously employed elsewhere in a position deemed to be performing STRS creditable service, and moved into a position elsewhere that looks like it was not creditable service, and then came to your district in a position that is not performing creditable service, file the form.
- \* List all prior position(s) with former employer(s) in chronological order.





# When To File the Form

- \* SPECIAL CASE: Persons who began performing “non-creditable service” and were enrolled in STRS before July 1, 1996.
  - \* Probably should file the form
  - \* Consult with counsel!



# When NOT To File the Form

- \* If an educational administrator never worked for a public agency before working for your district, and was placed in STRS by you but is not performing creditable service, your options are:
  - \* to wait to see if legislation passes;
  - \* to move the person to PERS; or
  - \* to challenge any decision by STRS – if there is one – to disallow the service.



# When NOT To File the Form

- \* If an educational administrator was previously employed, either at by your district or elsewhere, in a PERS position, and then moved into a position which you thought should be in STRS but is not in fact performing creditable service, your options are
  - \* to wait to see if legislation passes;
  - \* to move the person back to PERS;
  - \* to challenge any decision by STRS – if there is one – to disallow the service



# When To Do Nothing

- \* If an educational administrator was previously employed, either by your district or elsewhere, in a PERS position, and then moved into a position with you which is correctly designated as performing creditable service and the person stayed in PERS anyway, leave the person in PERS.
- \* There is probably an election form somewhere; if not, PERS will need one.



# When To Do Nothing

- \* If an educational administrator was previously employed, either by your district or elsewhere, in a PERS position, and then moved into a position with you which is correctly designated as performing creditable service and the person enrolled in STRS when the job changed, leave the person in STRS.



# Get It Done Soon

- \* You **MUST** work through your County Education Office
- \* The form and justification letter must be prepared by the District, not the employee
- \* Watch for more information from CalSTRS
- \* Consult with counsel
- \* **REMEMBER: Deadline is May 23, 2014**



# Questions?

Thank you!

