

## TEACHER RETIREMENT SYSTEM of TEXAS

**UPDATE**

## HOW TO FIND INFORMATION ON PENDING LEGISLATION

As the Texas legislative session is winding down, TRS continues to monitor the bills that may impact Reporting Employers (REs), TRS members and TRS retirees. Once the legislative session is over and any passed bills have been signed, TRS' legal department will review and provide guidance on all changes.

Until legislation has been passed, TRS is unable to provide any information on proposed bills.

If you would like more information on a specific bill or issue, please visit the legislature's [website](#). You may also call the Legislative Reference Library's Bill Status Information Office at 1-877-824-7038 or 512-463-1252.

## TRS TO REDUCE THE PENALTY FEE GRACE PERIOD

TRS's executive leadership team has made the difficult decision to reduce the grace period from one month to fourteen calendar days from the report due date effective with the **September 2021** reporting period. This means that for fiscal year 2021-22 and beyond, monthly Regular Payroll (RP) and Employment After Retirement (ER) reports that are not at a **complete** status by the end of business on the 14th calendar day from the report's due date will incur penalty fees. TRS leadership made this decision due to the continued need for timely submission of RE data and the requirements outlined in Texas Government Code [Sec. 825.408](#) and TRS Rule [§25.28\(j\)](#). TRS will not extend the grace period beginning with FY 2023, so effective with the September 2022 reports, all reports must be completed by the report due date.

Although legislation allowed TRS to begin assessing penalty fees as of the January 2018 report period, TRS decided not to implement penalty fees for the 2017-18 fiscal year. TRS leadership then instituted a two-month grace period for the 2018-19 fiscal year and reduced the grace period to one month for the 2019-20 and 2020-21 fiscal years. The decisions previously made by TRS leadership have allowed REs four fiscal years to become familiar with the RE Portal before removing the grace period to align with current laws and rules.

As a reminder, the grace period did not change the due date for reports and TEXNET deposits; instead, it gave REs extra time to complete the reports before penalty fees were assessed. Additional information about the report due dates can be found on the [TRS website](#).

The current response time for RE coaches is up to two business days. Please take this into consideration when working on reports and allow enough time to work through errors and request overrides when needed to complete reports by the due date.

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## GENWORTH GROUP LONG-TERM CARE INSURANCE CONTRACT ENDING AUG. 31

Since 2009, TRS has partnered with Genworth Life Ins. Co. (“Genworth”) to offer fully-insured Group Long-Term Care Insurance (LTCI). TRS’ contract with Genworth is ending this year. Beginning Aug. 31, 2021, this contract will not be renewed and TRS will not offer long-term care policies or substitute LTCI coverage with a similar product.

While TRS’ contract with Genworth is ending, **all TRS members with an active group LTCI policy, including active school district employees and their family members, will be able to keep individual policies through Genworth.** This means that if your employees are existing policyholders, they will have LTC coverage under their current policy as long as they continue to pay their monthly premiums directly to Genworth.

Additional information can be obtained by contacting Genworth’s Customer Service Representative at 866-659-1970 (available Monday through Friday, 8 a.m.–8 p.m. ET).

### **Why is the Contract Not Being Renewed?**

The market for stand-alone LTCI has shrunk over the past few years. LTCI policies have experienced reductions in benefits and rising premiums in recent years, and TRS’ sponsorship of a fully-insured LTCI product no longer creates additional value.

TRS works to provide public school employees and their families with the highest value health benefits possible. However, TRS cannot offer financial advice about which health plans or financial tools are right for them. We encourage your employees to speak with a financial advisor or other expert about whether or not to maintain their LTCI policy.

If you or your employees have questions regarding their LTCI policies, please call TRS Health and Insurance Benefits Department at 1-888-237-6762 (available Monday through Friday, 7 a.m.–6 p.m. CT) to speak to a health benefits counselor.

## RETIREE ADVISORY COMMITTEE NOMINATIONS NOW OPEN

In February 2022, TRS will fill four seats on the Retirees Advisory Committee (RAC). The RAC is an advisory committee for TRS-Care, the health benefits program for eligible public school retirees and their families. Currently, two of the four positions that need to be filled will go to an active school administrator and active teacher.

The committee meets twice a year in Austin and is responsible for holding public meetings on group coverage, recommending minimum standard and plan features, and recommending changes to rules and legislation affecting TRS-Care. Due to the COVID-19 pandemic, all meetings have been held in a virtual setting the past year and will continue for the foreseeable future.

If you or someone you know would be a good fit for a position, TRS is now accepting nominations through Aug. 15. The TRS Board of Trustees will appoint new members to the RAC in September 2021.

**If you would like to be nominated to serve on the RAC for the first time or to continue serving on the RAC, please submit your resume and cover letter by Aug. 15, 2021, to:**

Teacher Retirement System of Texas  
Attention: Director, Health Care Analytics and Engagement  
1000 Red River St.  
Austin, Texas 78701-2698

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### **RETIREE ADVISORY COMMITTEE NOMINATIONS NOW OPEN** *continued from page 2*

Alternatively, applications can be submitted via email to [healthcarecomm@trs.texas.gov](mailto:healthcarecomm@trs.texas.gov). Please make sure to state the position you are applying for and provide details of your qualifications for that position in the cover letter.

TRS evaluates nominees based on the following criteria:

1. length of experience as a TRS member and/or retiree,
  2. participation in education-related volunteer programs,
  3. professional activities and experience serving on committees, boards and decision-making organizations, especially related to health care or other benefits,
  4. credentials, awards or other meritorious recognition,
  5. participation in TRS-Care (for retired nominees),
  6. geographic diversity, and
  7. experience in health care benefits or a related field.
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## **TEMPORARY RULE CHANGE ALLOWS TRS RETIREES TO SERVE AS A SUBSTITUTE DURING SUMMER SCHOOL WITHOUT EAR LIMITS**

To address the critical summer school staffing shortage faced by our non-higher education Reporting Employers (REs), TRS has temporarily amended the definition of a substitute for Employment After Retirement (EAR) purposes.

Effective immediately, the adopted amendment to TRS Rule §31.1(b) expands the definition of substitute relating to EAR for the months of June 2021 through August 2021. This expanded definition will allow a non-higher education RE (ISDs and Charters), to hire a TRS retiree on a temporary basis for summer school, and to report the retiree as a substitute, **if they meet the following requirements:**

- The retiree's employment is expected, or contracted, to end no later than Aug. 31, 2021, **and**
- The retiree is paid no more than the daily rate of pay set by the RE for non-retiree employees in the same or similar positions.

As a result, a retiree that meets these requirements will **not** be subject to the one-half time employment limitation or the applicable surcharges for June 2021 through August 2021. In addition, if a retiree's regular work agreement occurs in the same month as their summer school employment, the retiree will be reported as a substitute for the month(s).

Since summer school employment is seasonal and temporary in nature, this emergency amendment will allow non-higher education REs to use TRS retirees to meet increased staffing needs that may occur due to expanded summer school services being offered this year due to the COVID-19 pandemic.

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## **TEMPORARY RULE CHANGE ALLOWS TRS RETIREES TO SERVE AS A SUBSTITUTE DURING SUMMER SCHOOL WITHOUT EAR LIMITS** *continued from page 3*

This amendment, as shown below, will remain in effect until Aug. 31, 2021:

*(b) Substitute--For purposes of employment after retirement,*

- (1) a person who serves on a temporary basis in the place of a current employee(s). A substitute may be paid no more than the daily rate of pay set by the employer. Effective September 1, 2016, a substitute includes a retiree who serves in a vacant position for no more than 20 days. A retiree may serve as a substitute in more than one vacant position each school year provided the retiree serves no more than 20 days in each vacant position. In no event may a retiree be considered a substitute while serving in a vacant position that was last held by that retiree; or*
- (2) a service retiree employed by a school district on a temporary basis during the months of June 2021 through August 2021 if the employment is expected or contracted to end by no later than August 31, 2021 and is paid no more than the daily rate of pay set by the employer for non-retiree employees in the same or similar positions.*

The emergency rule will expire after Aug. 31, 2021 and Rule §31.1(b) will return as it existed prior to the amendment.

Please contact your RE Coach if you have any questions related to the emergency rule amendment for EAR. For more information, please read the [FAQs on our website](#).

## **TEXAS PUBLIC HEALTH COVID-19 VACCINE SCHEDULER**

All Texas adults 16 years and older are now eligible to receive a COVID-19 vaccine. All TRS health plans will cover vaccinations at 100%.

The new Texas Public Health Vaccine Scheduler helps Texans get scheduled for a COVID-19 vaccine at clinics hosted by participating Texas public health entities.

All adult Texans can sign up with the new Texas Public Health Vaccine Scheduler in one of two ways:

- call (833) 832-7067 any day of the week, 7 a.m. to 7 p.m., or
- sign up at [GetTheVaccine.dshs.texas.gov](https://getthevaccine.dshs.texas.gov) Once registered, an email or text will confirm when and where to get the vaccine.

There is still the option to check with a community vaccine provider. This can be a local health authority, designated [vaccine hubs](#), or [retail pharmacies](#) like HEB, CVS and Walgreens.

The Texas Department of State Health Services has an [interactive provider hub map](#) for information about these types of providers. They'll each have their own type of registration, which you should read carefully upon signing up.

To learn more, you can visit TRS' [COVID-19 vaccine information webpage](#) or the Texas Department of State Health Services [vaccination home page](#).

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## UPCOMING BENEFITS ADMINISTRATOR VIRTUAL TRAININGS

Registration is open for upcoming technical Benefits Administrator (BA) training sessions. These will provide critical information on getting your district ready for Annual Enrollment. Blue Cross and Blue Shield of Texas (BCBSTX), bswift®, CVS Caremark® and TRS will present during the BA trainings.

The BA trainings will be held following the special meeting of the TRS Board of Trustees on June 3. This is where rates and benefits for the 2021-22 plan year will be announced. The dates for these BA trainings are:

June 15, 1–3 p.m.

June 16, 1–3 p.m.

June 23, 1–3 p.m.

[Register for any of these dates here.](#)

Annual Enrollment dates have also been set for July 12 through Aug. 23. It will be a passive enrollment, so if your employees don't elect any changes, they'll be in the same plan they're in this year.

Be sure to save these dates so you're aware of upcoming trainings and announcements that will help you have a successful Annual Enrollment!

Feel free to forward this email to any BA staff you think could benefit from these training sessions. If you can't make it, you'll be able to access BA training FAQs on the [BA website](#).

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## HOW TO REPORT SUMMER WORK AT ISDS AND CHARTER SCHOOLS WITH POSITION CODE 09

TRS created Position code 09 in May 2019 to help calculate and report salaries that are not subject to the state minimum salary during the summer months. Position code 09 should only be used to report ISD and charter school employees whose regular school year job is subject to the state minimum salary but who are also working summer school outside of their regular contract as a wholly separate job (for example: teachers, principals, nurses, counselors, librarians, etc.).

### **Do not use Position code 09 for the following employees:**

- Any summer employees whose regular position is not subject to the state minimum salary (for example: food service workers, support staff, etc.).
- Employees who are subject to the state minimum salary in their regular position but are receiving accrued pay over the summer. The accrued pay is subject to the state minimum salary and the statutory minimum contributions must be reported on the RP20 under the regular position code.
- Any employees who are ineligible for TRS.
- Higher education employees.
- Employees of verified school districts that are not subject to the state minimum salary contributions.

These employees should be reported with a separate summer contract in the position code associated with the work that they are performing.

Additional resources and FAQs regarding Position code 09 can be found here:

[https://www.trs.texas.gov/TRS Documents/update\\_may\\_2020.pdf](https://www.trs.texas.gov/TRS Documents/update_may_2020.pdf)

[https://www.trs.texas.gov/TRS Documents/update\\_april\\_2019.pdf](https://www.trs.texas.gov/TRS Documents/update_april_2019.pdf)

If you have any additional questions regarding when or how to report Position code 09, please contact your coach.

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# TEACHER INCENTIVE ALLOTMENT – TRS CREDITABLE COMPENSATION

The Texas Legislature established the Teacher Incentive Allotment (TIA) to help Texas school systems reward, retain and recruit highly effective teachers. The additional compensation teachers receive under TIA may be creditable for TRS. The creditability of the compensation is dependent upon the TIA compensation plan adopted by the RE. While TRS cannot advise what specific language the RE should use in their plan to make the compensation creditable, we can review the plan once drafted and provide a determination. In addition, the Texas Education Agency (TEA) and the Texas Association of School Boards (TASB) have partnered with TRS to help REs establish their TIA plan. Links to their TIA materials can be found below under additional resources.

For TRS to review and make a determination on your RE’s plan, email the full compensation plan drafted for TIA to your TRS RE Coach. This plan should specifically outline the mode of compensation the RE is electing to use, the timing of the compensation and how it will be handled if the designated teacher leaves the RE after the winter roster has been submitted to the TEA. A few examples of mode of compensation are stipends, performance pay, or adding the allotment to the employee’s base salary. If an RE elects a performance pay mode, a measure of performance must also be included in the plan for each year of TIA participation.

If an RE changes their compensation plan in subsequent years or mid-year, TRS recommends submitting the revised plan to your RE Coach for review.

- Additional Resources:*
- TEA’s [Teacher Incentive Allotment Training](#)
  - TASB: [Teacher Incentive Allotment Myth-busting](#)

# SUMMER VIRTUAL TRAINING SESSIONS

TRS is offering the following virtual training sessions for reporting personnel this summer:

June 22, 2021	Introduction to TRS Reporting for Higher Education	9 a.m.–4 p.m.
June 29, 2021	Introduction to TRS Reporting-Non-Higher Education	9 a.m.–4 p.m.
July 27, 2021	Training for Human Resources-Higher Education	9 a.m.–12 p.m.
July 29, 2021	RE Ledger Training-all RE types	1:30 p.m.–3:30 p.m.
Aug. 10, 2021	Training for Human Resources-Non-Higher Education	9 a.m.–12 p.m.

Each attendee must register individually on the [RE Portal Training page](#). This will ensure that you receive the link to access the web session as well as a copy of the materials being covered.



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## FILLING OUT THE FORM TRS 8


REs need to submit the *Notice of Final Deposit of Deceased Member* form (TRS 8) when a TRS member passes away before retirement. Complete the TRS 8 form for an employee who recently passed and who was employed within the past three school years. If the employee terminated employment more than three years ago, please contact your coach to confirm if the form is required.

The TRS 8 is available in the RE Portal under the Administration tab-->Certify Retirement or Deceased Member. To retain a copy for your records, print the form prior to submitting online. The form can also be mailed to the employer. Make a copy of the signed form for your records and mail the original to TRS. The form must be completed by an authorized contact with signature authority.

Complete the demographic information shown in the form below, including the Last known address of Deceased Member and Name of the Employing Institution.

For the Date of Death field, please enter the date the employee passed (use today's date if the date is unknown). TRS will always use the date of death from the death certificate.


Date of Death (if known).  
If you do not know the date, enter today's date.



1000 Red River Street  
Austin, TX 78701-2698  
(800) 223-8778  
www.trstexas.gov


### Notice of Final Deposit of Deceased Member

TRS (20-16)



Name of Deceased Member		TRS Participant ID
		Social Security Number
Last known address of Deceased Member		
Name of Employing Institution		
Date of Death	Date employment was terminated if before date of death	
If member was not employed at time of death, please state or attach affidavit stating circumstances leading to absence from service		
Job Title		


If the employee separated from your employer's service prior to passing, enter the employee's reason for termination in this field. If the employee was out on leave due to illness, FMLA, Leave Without Pay, or Short/Long Term Disability prior to termination, please include this information. You may include additional pages with this form if an additional explanation is needed. This information can have a significant impact on the available death benefits the member will receive, so be sure to fill out this section.



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TRS (20-16)



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		Social Security Number
Last known address of Deceased Member		
Name of Employing Institution		
Date of Death	Date employment was terminated if before date of death	
If member was not employed at time of death, please state or attach affidavit stating circumstances leading to absence from service		
Job Title		

Must fill out if employee was out absent from service (FMLA, Leave without Pay, etc...)

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### FILLING OUT THE FORM TRS 8 continued from page 7

Next, enter the total number of contract days or total expected work days that the employee was hired to perform. This would be the contract/work days according to your school calendar, not the TRS fiscal year of Sept. 1–Aug. 31.

If the employee was employed in a year-round school, please indicate yes or no in the field provided. If yes, and the year-round school is a multi-track format, please indicate the track in the provided space.

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www.trsbos.org

**Notice of Final Deposit of Deceased Member**  
TRS 8 (09-16)

Number of Contract Days or Total Work days expected

Name of Deceased Member \_\_\_\_\_ TRS Participant ID \_\_\_\_\_  
Social Security Number \_\_\_\_\_

Last known address of Deceased Member \_\_\_\_\_

Name of Employing Institution \_\_\_\_\_

Date of Death \_\_\_\_\_ Date employment was terminated if before date of death \_\_\_\_\_

If member was not employed at time of death, please state or attach affidavit stating circumstances leading to absence from service \_\_\_\_\_

Job Title \_\_\_\_\_

Number of months/days normally worked under employment contract or agreement \_\_\_\_\_ / \_\_\_\_\_  
(Months) (Days)

Did member work in a year-round school? ☐ If yes and school is multi-track, which track? \_\_\_\_\_

The salary fields are the fields that often generate the most questions for our employers. The salary fields only refer to TRS-eligible compensation. You may need to mark some salary fields as zero if an employee was in an ineligible position. For the first salary fields detailed below, please fill out these fields based on what was or will be actually paid to the employee.

Provide the final salary to be paid out and the contributions collected from that final salary. The final deposit month is the report month that will contain the final deposit for the employee.

When entering the Annual Salary paid for the school year in which death occurred, please enter the actual salary **paid** during the current TRS fiscal year (Sept. 1–Aug. 31).

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**Notice of Final Deposit of Deceased Member**  
TRS 8 (09-16)

Name of Deceased Member \_\_\_\_\_ TRS Participant ID \_\_\_\_\_  
Social Security Number \_\_\_\_\_

Last known address of Deceased Member \_\_\_\_\_

Name of Employing Institution \_\_\_\_\_

Date of Death \_\_\_\_\_ Date employment was terminated if before date of death \_\_\_\_\_

If member was not employed at time of death, please state or attach affidavit stating circumstances leading to absence from service \_\_\_\_\_

Job Title \_\_\_\_\_

Number of months/days normally worked under employment contract or agreement \_\_\_\_\_ / \_\_\_\_\_  
(Months) (Days)

Did member work in a year-round school? ☐ If yes and school is multi-track, which track? \_\_\_\_\_

Total amount of salary during final month \$ \_\_\_\_\_

Final TRS deposit of \$ \_\_\_\_\_ was/will be included in the \_\_\_\_\_ TRS Report

Annual salary paid for school year in which death occurred \$ \_\_\_\_\_

Final Salary amount, Final TRS contribution amount, and TRS Report month for Final deposit.

Enter the annual salary actually paid in the school year in which death occurred



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**FILLING OUT THE FORM TRS 8** continued from page 8

The annual compensation fields are to be filled out based on **your** school year, not the TRS fiscal year. Include the salary amount and YOUR school year dates in the required fields.

Annual compensation if member had worked the remainder of school year at a normal schedule. Use your semester dates.



## Notice of Final Deposit of Deceased Member

TRS 8 (09-16)



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Austin, TX 78701-2698  
(800) 223-8778  
www.trs.texas.gov

Name of Deceased Member  TRS Participant ID   
Social Security Number

Last known address of Deceased Member

Name of Employing Institution

Date of Death  Date employment was terminated if before date of death

If member was not employed at time of death, please state or attach affidavit stating circumstances leading to absence from service

Job Title

Number of months/days normally worked under employment contract or agreement  (Months) /  (Days)

Did member work in a year-round school? ☐ If yes and school is multi-track, which track?

Total amount of salary during final month \$

Final TRS deposit of \$  was/will be included in the  TRS Report

Annual salary paid for school year in which death occurred \$

Annual compensation rate (total amount member would have received had they worked the full school year) in which death occurred, or in which last service was rendered  
\$  for school year beginning  Ending

For the field requiring the compensation for the prior school year, enter the salary for the school year prior to the last year of service. Enter the amount based on the school's calendar. Also include those dates in the beginning and ending date in those fields.

If this person was an hourly employee, enter the hourly rate and expected number of hours that the person would have worked.

Total Salary paid 1 school year prior to last service year. Use your semester dates.

Annual compensation rate (total amount member would have received had they worked the full school year) in which death occurred, or in which last service was rendered  
\$  for school year beginning  Ending

Annual salary paid for school year before year in which last service was rendered  
\$  for school year beginning  Ending

If member was an hourly employee, give the hourly rate and the number of hours the employee would have worked during school year in which the death occurred. \$  per hour /  number of hours

**CERTIFICATION**

I certify the above as true and correct and that the reported "Annual salary paid for school year in which death occurred" does not include any (1) payment for unused sick leave or vacation; (2) expense payment; (3) allowance; (4) fringe benefit; (5) drivers education courses outside the regular contract; or (6) other non-creditable compensation referenced in TRS Board of Trustees' Rule 25.21 (d).

Signature and Title of Reporting Official Date **INSTRUCTIONS FOR REPORTING OFFICIAL**

To report the death of a member of the Retirement System, complete and return this form immediately to TRS. Please inform the next of kin that the first document needed by the Retirement System is a copy of the death certificate. A surviving spouse, dependent children (under age 25), and incapacitated children may be eligible for health insurance if the member contributed to the program at the last place of employment and had 10 or more years of membership service. Ask them to contact TRS for details.

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### FILLING OUT THE FORM TRS 8 continued from page 9

The TRS 8 must be completed and signed by someone who is listed in the RE Portal with signature authority. If this form is signed by someone else, it will delay the processing of the claim and the receipt of benefits by the employee's beneficiary. If you are not certain who has signature authority, please reach out to your TRS Web Administrator for assistance.

Annual compensation rate (total amount member would have received had they worked the full school year) in which death occurred, or in which last service was rendered  
\$ \_\_\_\_\_ for school year beginning \_\_\_\_\_ Ending \_\_\_\_\_

Annual salary paid for school year before year in which last service was rendered  
\$ \_\_\_\_\_ for school year beginning \_\_\_\_\_ Ending \_\_\_\_\_

If member was an hourly employee, give the hourly rate and the number of hours the employee would have worked during school year in which the death occurred. \$ \_\_\_\_\_ per hour/ \_\_\_\_\_ number of hours

**CERTIFICATION**  
I certify the above as true and correct and that the reported "Annual salary paid for school year in which death occurred" does not include any (1) payment for unused sick leave or vacation; (2) expense payment; (3) allowance; (4) fringe benefit; (5) drivers education courses outside the regular contract; or (6) other non-creditable compensation referenced in TRS Board of Trustees' Rule 25.21 (d).

Signature and Title of Reporting Official \_\_\_\_\_ Date \_\_\_\_\_

**Must be signed by  
someone with signature  
authority**

#### INSTRUCTIONS FOR REPORTING OFFICIAL

To report the death of a member of the Retirement System, complete and return this form immediately to TRS. Please inform the next of kin that the first document needed by the Retirement System is a copy of the death certificate. A surviving spouse, dependent children (under age 25), and incapacitated children may be eligible for health insurance if the member contributed to the program at the last place of employment and had 10 or more years of membership service. Ask them to contact TRS for details.

## WATCH & LEARN: TRS MEMBER EDUCATION VIDEO SERIES

Learn all about your TRS pension benefits by watching our [Member Education Videos!](#) Help us spread the word about the series by downloading a [poster](#) from our website and displaying it at your school.