

1. PURPOSE

The purpose of this policy is to provide the basis for an early retirement program for qualified faculty members who wish to petition the University for permission to continue to serve on less than a full-time basis after retirement.

2. BACKGROUND

2.01 The Teacher Retirement System of Texas (TRS) provides “normal age service retirement” when the age and years of service credit total 80 and the employer has at least five years of service credit. TRS permits the retired individual to be reemployed after a full calendar month break in service following the retirement date and to work up to one-half time (for whatever compensation is paid) without the forfeiture of retirement benefits.

2.02 Faculty members considering early retirement should visit the TRS and/or the approved optional retirement plan (ORP) to confirm eligibility and appropriateness of this arrangement.

3. PROCEDURES

3.01 Full-time tenured faculty members at Sam Houston State University who have reached the age of fifty-five years and who have credit for five or more years with the Teacher Retirement System of Texas or five years of participation with an approved optional retirement plan may request permission to participate in the Early Retirement Program from the appropriate academic dean. The University retains the right to decide, on a case-by-case basis, whether the request can be granted. Such decision is based upon staffing, programmatic requirements, enrollment trends, and financial considerations.

3.02 A faculty member will provide a written request to the appropriate dean not less than 120 days prior to the beginning of the academic year in which said election is requested to take effect. The faculty member will be notified in writing within 30 days of the receipt of the request regarding the employment decision.

- 3.03 An approved early retirement appointment may be up to, but not more than three consecutive years on an annual contract. Should three consecutive years of part-time employment be completed under the terms of this policy, the University, upon request of the faculty member, may opt to continue to permit part-time employment on a year-to-year basis.
- 3.04 The faculty member shall relinquish full-time status and tenure in exchange for an early retirement agreement between Sam Houston State University and the faculty member.
- 3.05 Termination by the University of the part-time employment of a faculty member participating in the early retirement program before the expiration of the stated period of their part-time appointment will be only for good cause shown as described in Chapter V, Section 4.51 of the Rules and Regulations, Board of Regents, Texas State University System, or under the special circumstances for termination of faculty employment as described in Chapter V, Section 4.6 of the Rules and Regulations.
(See <http://gato-docs.its.txstate.edu/jcr:cadb6c26-5fbc-4e8d-87df-da945380ffdd/Rules%20Regs%20May%202017.pdf>)
- 3.06 Participants in the University early retirement program will retain their established obligations to comply with all the University responsibilities applicable to full-time personnel.
- 3.07 Office assignments must be subject to the availability of office space and to the needs of the appropriate departments.

4. POLICY OPTIONS

- 4.01 Under the provisions of this policy, qualified faculty members may apply through the appropriate academic dean to the Provost and Vice President for Academic Affairs for one of two options of early retirement. These options are as follows:

OPTION I

Participants in Option I retain, as applicable, rank and one-fourth salary for teaching undergraduate courses or graduate courses on a nine-month basis. No summer employment or annual raises are assured or committed. Eligible participants may continue to take part in the State retiree insurance program of the University. Participants do not accrue release time and

relinquish any release time that they may have accrued prior to their participation in Option I. Participants are not eligible to receive reassigned time. For instructional faculty, class assignments of up to one-fourth of the normal teaching load, as appropriate, shall be defined by the appropriate academic dean after consultation with the Provost and Vice President for Academic Affairs. The term of the workload assignment for a Newton Gresham Library faculty member selecting Option I shall be defined by the library director after consultation with the Provost and Vice President for Academic Affairs. Faculty members selecting Option I will be committed to teach one course or the equivalent during the fall and spring semester for not more than three consecutive years.

With the approval of the department chair, a faculty member selecting Option I may request permission to teach two courses or the equivalent during one long semester with no employment during the other. If such approval is endorsed by the dean and the Provost and Vice President for Academic Affairs and granted by the President, the approved teaching semester will be continued on a yearly basis by the University for not more than three consecutive years.

OPTION II

Participants in Option II retain, as applicable, rank and one-half salary on a nine-month basis. No summer employment or annual raises are assured or committed. Eligible participants may continue to take part in the State retiree insurance program of the University. Participants do not accrue release time and relinquish any release time that they may have accrued prior to their participation in Option II. Participants are not eligible to receive reassigned time. For instructional faculty, class assignments up to one-half normal teaching load shall be defined by the appropriate academic dean after consultation with the Provost and Vice President for Academic Affairs. The terms of the workload assignment for a Newton Gresham Library faculty member selecting Option II shall be defined by the library director after consultation with the Provost and Vice President for Academic Affairs. Faculty members selecting Option II will be committed to teach two courses or the equivalent during each fall and spring semester for not more than three consecutive years.

With the approval of the department chair, a faculty member selecting Option II may request permission to teach four courses or the equivalent during one long semester with no employment during the other. If such

approval is endorsed by the dean and the Provost and Vice President for Academic Affairs and granted by the President, the approved teaching semester will be continued on a yearly basis by the University for not more than three consecutive years. Faculty members under the Teacher Retirement System of Texas (TRS) who wish to teach four courses or the equivalent during one long semester under Option II must receive prior approval from TRS as teaching more than a fifty (50%) load may affect retirement annuity payments.

4.02 RETIREMENT PROGRAMS

- a. A person who has retired under the Teacher Retirement System (TRS) should work closely with a TRS retirement counselor to verify employment eligibility before returning to work in any role.
- b. Faculty members under the Teacher Retirement System of Texas (TRS) wishing to participate in this early retirement program must have a minimum break in service of one calendar month between the last day of their full-time employment with Sam Houston State University and the first day of their part-time employment under the provisions of Option I or Option II of this policy statement.
- c. Faculty members under the Optional Retirement Plan (ORP) must also observe a break that is at least one full calendar month in which no ORP contribution is made.
- d. As a break in service is a requirement for retirement, any accrued vacation balance will be settled and any sick leave forfeited at the time of retirement.

- 4.03 A retired faculty member may terminate any employment granted under this policy by giving prior written notice through channels to the Provost and Vice President for Academic Affairs at least 30 days prior to the beginning of a given semester.

5. REPORTS

For each individual on early retirement under the provisions of this policy, the appropriate academic dean or director shall prepare a report detailing both workload

