



California Public Employees' Pension Reform Act of 2013

The California Public Employees' Pension Reform Act of 2013 made changes to the plan structure that primarily affect benefits for members first hired to perform CalSTRS creditable service on or after January 1, 2013. These members are under the **CalSTRS 2% at 62** benefit structure.

Members under the **CalSTRS 2% at 60** benefit structure are those who:

- Were first hired to perform service that could be credited to the Defined Benefit Program on or before December 31, 2012.
- Were CalSTRS members before 2013, terminated their membership and then returned to active membership on or after January 1, 2013.
- Performed service that could be credited to the Defined Benefit Program and was subject to coverage under a different retirement system, including Social Security, on or before December 31, 2012.
- Were members of a concurrent retirement system on or before December 31, 2012, and who performed service under that system within six months of becoming a CalSTRS member.

Look here for benefit differences for CalSTRS 2% at 62 members

- **CalSTRS 2% at 62 = members first hired on or after January 1, 2013, to perform service that could be credited to the Defined Benefit Program and who never before performed service under a different retirement system, including Social Security, that could be credited to the Defined Benefit Program.**

Your Defined Benefit Membership

CalSTRS Defined Benefit Program is a traditional defined benefit plan that provides retirement, survivor and disability benefits. Your retirement benefit is based on a formula set by law using your age, service credit and final compensation. CalSTRS has two benefit structures:

CalSTRS 2% at 60: Members first hired to perform service that could be credited to the Defined Benefit Program on or before December 31, 2012, in addition to certain other members (see previous page).

CalSTRS 2% at 62: Members first hired to perform service that could be credited to the Defined Benefit Program on or after January 1, 2013.

The 2 percent refers to the percentage of your final compensation that you'll receive as a retirement benefit for every year of service credit, also known as the age factor. Other differences between the two benefit structures are final compensation, age factors, normal retirement age, creditable compensation cap and contribution rate. In addition, 2% at 62 members aren't eligible for benefit enhancements, the Reduced Benefit Election or the CalSTRS Replacement Benefits Program.

- See "Your Retirement Benefit," page 57, for definitions of service credit, age factor and final compensation.

Membership

If you're an educator or are performing other activities that are creditable service, you may be a member of the Defined Benefit Program as mandated by law or you may be eligible to elect membership. You're eligible for the Defined Benefit Program if you're an employee of a California public school system, prekindergarten through community college, and are performing activities:

- In a position that requires certification qualifications adopted by the Commission on Teacher Credentialing, OR
- In a position that meets the minimum standards adopted by the Board of Governors of the California Community Colleges, OR
- Under the provisions of an approved charter for a participating charter school eligible to receive state apportionment.

Creditable service includes activities such as teaching, vocational or guidance counseling, mentoring, services related to school curriculum and certain administrative duties that count toward your service credit and require certification standards, minimum standards and other requirements defined in the California Education Code.

Creditable compensation includes salary and other earnings paid in cash by your employer under a publicly available written contractual agreement to everyone in the same class of employees and paid to you for performing creditable service. Certain payments, including allowances and cash in lieu of fringe benefits, are not creditable compensation.

- **CalSTRS 2% at 62:** Only compensation paid in cash each pay period in which creditable service is performed under a publicly available written contractual agreement is considered creditable compensation. Certain additional payments, including bonuses and limited-period compensation or compensation determined to have been paid to enhance a benefit, are not creditable to any CalSTRS benefit program.

Member Contribution Rates

2% at 60: You contribute 10.25 percent of your creditable earnings.

2% at 62: Your contribution rate is connected to the normal cost of your retirement benefits. When changes in normal cost meet certain thresholds defined by law, your contribution rate is adjusted. The normal cost is assessed each year based on the actuarial valuation, the snapshot of CalSTRS' financial status presented to the Teachers' Retirement Board each spring. For 2017–18, your contribution rate is 9.205 percent of your creditable earnings, up to the compensation cap (see page 113). This rate is expected to increase for 2018–19 to 10.205 percent.

Only activities identified as creditable service count toward years of service for CalSTRS retirement. Contact your employer if you have questions about whether your service or compensation is creditable.

Full-Time Educators

If you're employed to perform creditable service on a full-time basis, you will automatically become a member of the Defined Benefit Program on your first day of employment.

full time = the days or hours of creditable service your employer requires a class of employees to work in a school year in order to receive full compensation earnable.

Part-Time Educators

If you're a part-time, substitute or temporary employee performing creditable service in the California public school system, you can choose to belong to the Defined Benefit Program or an alternative program offered by your employer, such as the Cash Balance Benefit Program. Your employer must formally notify you of your right to elect membership in the Defined Benefit Program within 30 days of hiring. You can elect membership at any time and should use the appropriate form provided by your employer. The date of membership is the first day of the pay period following your election date. Your election must be received by CalSTRS within 30 days of the date of your signature. When you permissively elect membership in the Defined Benefit Program, all creditable service subsequent to the effective date will be credited to the Defined Benefit Program. If you participate in the Cash Balance Benefit Program and later become a full-time employee, you automatically will become a member of the Defined Benefit Program. See the table below for information about mandatory Defined Benefit Program membership for part-time educators.

Mandatory membership in the Defined Benefit Program depends on your employment status, the type of employer, and in some cases, whether or not your employer offers the Cash Balance Benefit Program. Sojourn or exchange teachers are excluded from membership in the Defined Benefit Program.

Employment Status | Mandatory Defined Benefit Membership Begins

PreK-12 or County Office of Education Not Offering the Cash Balance Benefit Program

Full Time	First day of employment.
Part Time – Contracted	First day of the pay period following employment to perform creditable service for 50 percent or more of the full-time position.
Part Time – Hourly	First day of the pay period following the pay period in which 60 hours of creditable service is performed with one employer, unless employed by an employer who offers the Cash Balance Benefit Program.
Part Time – Daily	First day of the pay period following the pay period in which 10 days of creditable service is performed with one employer, unless employed by an employer who offers the Cash Balance Benefit Program.
Substitute	First day of the pay period following the pay period in which 100 or more complete days of creditable service is performed with one employer in one school year, unless employed by an employer who offers the Cash Balance Benefit Program.

PreK-12 or County Office of Education Offering the Cash Balance Benefit Program

Part Time (contracted, hourly or daily)	First day of the pay period following the pay period in which employment to perform creditable service is 50 percent or more of the full-time position during one school year with the same employer.
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Community College Districts Offering and Not Offering the Cash Balance Benefit Program

Full Time	First day of employment, unless employed on a temporary basis.
Part Time or Temporary	First day of the pay period following employment that is not on a temporary basis.

Charter School Educators

If you're a charter school employee performing creditable service in a charter school that is eligible to receive state apportionment, you are eligible for the Defined Benefit Program only if your school's charter designates the school's participation in the Defined Benefit Program.

Eligibility for Benefits

You'll be eligible for a guaranteed lifetime retirement benefit when you have five years of service credit under the Defined Benefit Program. If you're a CalSTRS 2% at 60 member, you can retire as early as age 50 if you have at least 30 years of service credit. Or you can retire at age 55 with at least five years of service credit—or fewer if you service retire concurrently from certain other California public retirement systems. See "Retiring From More Than One Public Retirement System," page 46, for a list of the eligible California public systems.

- **CalSTRS 2% at 62:** The earliest age you can retire is age 55 with five years of service credit—or fewer under the special circumstances of concurrent service retirement. You are not eligible for retirement at age 50 with 30 years of service credit.

Contributions

Your Contributions

For CalSTRS 2% at 60 members, you contribute 10.25 percent of your creditable compensation to your CalSTRS retirement for service performed, up to the compensation cap (see "Section 401(a)(17)" on page 113).

- **CalSTRS 2% at 62:** Your contribution rate is connected to the normal cost of your retirement benefits. When changes in normal cost meet certain thresholds defined by law, your contribution rate is adjusted. The normal cost is assessed each year based on the actuarial valuation, the snapshot of CalSTRS' financial status presented to the Teachers' Retirement Board each spring. For 2017–18, your contribution rate is 9.205 percent of your creditable earnings, up to the compensation cap (see page 113). This rate is expected to increase to 10.205 percent for 2018–19. The board typically adopts the rate for the coming school year in the spring.

Employer Pick-Up of Contributions

Most employers participate in the federal Employer Pick-Up Program under Internal Revenue Code section 414(h)(2). Under this provision, your employer "picks up" your CalSTRS member contributions so that you can defer income taxes on that portion of your compensation. The contributions are taxable when returned to you or your beneficiaries as a lump sum or monthly benefit.

- See "Tax Information and Legal Matters," page 111.

Your Employer's Contributions

For 2017–18, your employer—school district, community college district, participating charter school or county office of education—contributes an amount equal to 14.43 percent of your earnings to CalSTRS. Your employer's contributions are not credited to your Defined Benefit account but are deposited into the Teachers' Retirement Fund to help fund the benefits paid to all members and beneficiaries. Under the CalSTRS Funding Plan, the employer contribution rate increases gradually to 19.1 percent in 2020–21. The rate for 2018–19 is 16.28 percent.

When you terminate CalSTRS-covered employment and receive a refund of your Defined Benefit member contributions, you are no longer eligible for CalSTRS benefits.

The State's Contributions

For 2017–18, the state of California contributes 9.328 percent of the annual earnings of all members, including about 2.5 percent for the CalSTRS Supplemental Benefit Maintenance Account for purchasing power protection. The SBMA account is used to maintain the purchasing power of benefits.

- See “Purchasing Power Protection,” page 85.

Your Defined Benefit Account

Your Defined Benefit account represents your accumulated member contributions and credited interest. You and your beneficiaries are entitled to the balance of this account if you terminate CalSTRS-covered employment and withdraw your contributions, or if you die and none of your survivors are eligible for a monthly benefit.

The amount in your account is not used to calculate your retirement benefit. Your retirement benefit is a guaranteed lifetime benefit using a formula based on your service credit, age at retirement and final compensation. You'll forfeit any right to a benefit immediately upon a withdrawal of your accumulated retirement contributions and credited interest.

You will not receive your employer's contributions if you terminate your membership—employers' contributions go toward paying all members' retirement benefits.

Interest

Interest is credited to your accumulated Defined Benefit account balance. The interest rate is adopted annually by the Teachers' Retirement Board and approximates the yield on two-year Treasury notes. The rate through June 30, 2018, is 0.90 percent.

Your Defined Benefit Supplement Account

As a Defined Benefit member, you have a Defined Benefit Supplement account. Your Defined Benefit Supplement account is a cash balance retirement plan that provides additional guaranteed income for retirement.

You and your employer each contribute 8 percent of your earnings, for a total of 16 percent, to your Defined Benefit Supplement account on the following types of earnings:

- Earnings for service in excess of one year of service credit in a school year.
- Special limited-term payments.

From January 1, 2001, to December 31, 2010, one-fourth of your 8 percent member contribution to the Defined Benefit Program was redirected to your Defined Benefit Supplement account. The redirection did not affect your CalSTRS retirement benefit.

Contributions to your Defined Benefit Supplement account don't affect your ability to make contributions to 403(b), 457(b) or similar tax-advantaged accounts.

If you're a 2% at 60 member and never had earnings in excess of one year of service or special limited-term payments—and you were hired on or after January 1, 2011—your Defined Benefit Supplement account balance will be \$0.

You cannot borrow from or against the funds in your CalSTRS Defined Benefit or Defined Benefit Supplement account.

Build your Defined Benefit Supplement account by taking on outgrowth, or extra-pay, assignments. See page 57.

- **CalSTRS 2% at 62:** If you have earnings in excess of one year of service credit but below the compensation cap, contributions on those earnings will be credited to your Defined Benefit Supplement account. Limited-term payments and retirement incentives are not creditable to any CalSTRS program. There are no other sources of funds for your Defined Benefit Supplement account. To learn more about the compensation cap, see page 113.

The benefit payable to you or your beneficiaries at retirement, disability, termination or death is equal to the balance of your and your employer's contributions, interest earnings and any additional earnings credits declared by the board.

Interest

Your Defined Benefit Supplement account earns interest at a rate set at the beginning of each plan year, July 1 through June 30, by the Teachers' Retirement Board, based on the average 30-year Treasury rate. The rate through June 30, 2018, is 2.64 percent.

If the actual investment earnings exceed the board-set interest rate at the end of the year and program assets sufficiently exceed the amount needed to meet liabilities, the board may declare an additional earnings credit, which will be awarded to your account.

Return of Excess Contributions

Your Defined Benefit account contains your member contributions on up to one year of service performed in a school year. Any contributions on earnings in excess of one year of service go into your Defined Benefit Supplement account. Under the CalSTRS Funding Plan, member contribution rates for the Defined Benefit Program increased beginning July 1, 2014. The member contribution rate for compensation creditable to the Defined Benefit Supplement Program, which includes compensation earned for service in excess of one year, remains at 8 percent. As a result, excess contributions will have been paid on compensation earned for service in excess of one year.

CalSTRS determines if you performed more than one year of service at the end of the school year. Any excess member contributions you made during the school year are reported on your *Retirement Progress Report*. Your *myCalSTRS* account shows a breakdown of excess contributions by employer.

CalSTRS will return excess member contributions to your employer in late September. Your employer is responsible for returning your excess member contributions to you, less any authorized adjustments or tax withholding. Keep in mind it may take 30 or more days for the excess member contributions to be transferred from CalSTRS to your employer. The timing of the return of your excess member contributions by your employer will vary. If you have any questions regarding the return of your excess contributions, please contact your employer.

Your returned pre-tax member contributions are considered taxable income in the year you receive the funds regardless of when you initially paid the contributions.

- See CalSTRS.com/excess-contributions to learn more.

Accessing Your Funds

Your Defined Benefit Supplement account balance is distributed to you:

- When you begin receiving your monthly service retirement benefit or a disability benefit, OR
- Six months after you terminate CalSTRS-covered employment and receive a refund of your Defined Benefit contributions. If you return to CalSTRS-covered employment within the six-month time frame, your Defined Benefit Supplement distribution will be canceled.

If you return to CalSTRS-covered employment after receiving a distribution of your Defined Benefit Supplement account, you'll have to wait five years before you can receive another distribution. You cannot redeposit Defined Benefit Supplement funds.

- See "Your Survivor Benefits," page 89, and "Your Disability Benefits," page 99, for Defined Benefit Supplement distributions upon your death or disability.

Sick Leave

At service retirement, CalSTRS will process and convert your unused sick leave to additional service credit using the information your employer provides on the *Express Benefit Report* form. As soon as you change employers during your career, coordinate with your former employer to arrange for the transfer of your accumulated unused sick leave to your new employer.

For service retirements effective on or after January 1, 2013, each of your employers during the last school year in which you earned creditable compensation can submit the *Express Benefit Report* form if your unused sick leave was not transferred between districts. For service retirements effective before January 1, 2013, only your last employer can report unused sick leave by submitting the *Express Benefit Report* form.

- See also "Converting Unused Sick Leave to Service Credit," page 58.

Refund: Consider the Consequences

Considering a career change? If you no longer work in a CalSTRS-covered position, you can leave your money in CalSTRS until you reach age 70½ or request a refund.

- See also "Internal Revenue Codes Affecting Benefits," page 112.

Know the Consequences of a Refund

If you have fewer than five years of service credit and do not plan to return to teaching, and you are not eligible for concurrent service retirement with another California public system, you may wish to consider a refund. Otherwise, carefully consider the consequences of taking a refund.

Benefits of leaving your contributions with CalSTRS:

- You'll keep your service credit.
- Your accounts will continue to accrue interest.
- You'll be eligible for a monthly retirement benefit when you are age 55 with at least five years of service credit.

Redepositing as a Member of Another Public System

If you take a refund and go to work for certain other public retirement systems in California, you can redeposit your contributions and interest without re-establishing your CalSTRS membership.

Consequences of receiving a refund:

- You'll no longer be a CalSTRS member.
- You'll cancel your eligibility for your CalSTRS retirement benefit, as well as for survivor and disability benefits, unless you return to CalSTRS-covered employment.
- You may not redeposit your Defined Benefit contributions unless you re-qualify for CalSTRS membership or are a member of certain other California public retirement systems.
- Any option beneficiary or one-time death benefit recipient designation will be canceled. If you return to CalSTRS membership and later retire, we will calculate an assessment at retirement for the preretirement election of an option you previously made. The assessment may reduce your lifetime monthly retirement benefit. (If you reinstate, you may designate a new one-time death benefit recipient or option beneficiary.)
- You must receive the total balance of your Defined Benefit Supplement account as a termination benefit. You cannot redeposit this distribution.
- Your refund and Defined Benefit Supplement Termination Benefit may be taxed as income unless they are rolled over into a qualified retirement account. CalSTRS is required to withhold 20 percent federal income tax on all payments distributed directly to you. CalSTRS will withhold California state income tax at 2 percent unless you elect not to have California state income tax withheld or you're not a resident of California. California nonresidents may elect to have state income tax withheld by completing the tax withholding section of the *Refund Application* or the *Income Tax Withholding Preference Certificate*. You may have to pay additional federal and state taxes if you take your refund before age 59½ and do not roll over your funds to a qualified retirement plan. Consult a tax professional to determine your tax liability. Also see *Tax Considerations for Rollovers* at CalSTRS.com/publications.

In addition, keep in mind your Social Security benefit, if you're eligible to receive one from other employment or a spouse, still may be offset by two federal rules—the Windfall Elimination Provision or the Government Pension Offset—even if you take a refund.

If you return to membership after taking a refund:

- You will be covered under Coverage B for survivor and disability benefits even if you previously had Coverage A.
- You must earn one year of service credit since your last refund and have at least five years of service credit before being eligible for a CalSTRS retirement benefit, including a disability benefit unless you meet the exception related to an unlawful act (see "Your Disability Benefits" on page 99).
- You will be under the CalSTRS 2% at 60 benefit structure if you were first hired to perform service that could be credited to the Defined Benefit Program before January 1, 2013.

You must purchase, or redeposit, the service credit previously refunded to you if you wish to restore your past service credit and receive full retirement benefits. All service credit purchases must be paid in full before retirement.

Taking a Refund

Defined Benefit Account

When you terminate your CalSTRS-covered position, you can request a refund of your Defined Benefit member contributions, including interest earned. After your employer verifies your separation and CalSTRS receives your *Refund Application*, CalSTRS will refund your Defined Benefit member contributions, including any tax-deferred member contributions under the federal Employer Pick-Up Program, plus the interest earned on your contributions. Partial refunds are not allowed. In addition, employer and state contributions are not refundable.

Defined Benefit Supplement Account

After terminating employment and receiving a refund of your Defined Benefit member contributions and interest earned, if you have not performed creditable service, including substitute teaching, for six months, CalSTRS will provide you with a termination benefit from your Defined Benefit Supplement account after you respond to correspondence from us regarding the payout. Your termination benefit will include your member contributions and your employer's contributions, plus interest on those contributions, that were credited to your Defined Benefit Supplement account.

If you return to CalSTRS-covered employment, you cannot redeposit your Defined Benefit Supplement Termination Benefit. In addition, only one termination benefit under the Defined Benefit Supplement Program is allowed in a five-year period.

➤ Visit [CalSTRS.com/members](https://www.calstrs.com/members) and see the *Refund: Consider the Consequences* fact sheet and the *Tax Considerations for Rollovers* booklet at [CalSTRS.com/publications](https://www.calstrs.com/publications).

Redepositing to Restore Service Credit

A redeposit allows you to restore the service credit you lost when you took a refund of your Defined Benefit contributions and interest earnings. If you return to CalSTRS-covered employment, or if you are a member of certain other California public retirement systems, you may restore past Defined Benefit refunded service credit by redepositing your refunded contributions plus interest the refunded amount would have earned had the funds remained in your CalSTRS account.

You may choose to restore a portion rather than all of the service credit you lost when you took a refund. The more time between your refund and redeposit, the higher the cost to redeposit. You may not redeposit Defined Benefit Supplement distributions.

Before being eligible for CalSTRS service retirement or disability retirement benefits, you must have earned at least one year of service credit after you received your most recent refund of accumulated retirement contributions and have at least five years of service credit, unless you're retiring for service concurrently from certain other California public retirement systems or unless you meet a narrow exemption for disability benefits.

Your redeposit must be paid in full before your retirement date. You may not redeposit Defined Benefit Supplement distributions.

Note: Redepositing does not re-establish your earlier membership date for calculating your retirement benefit—or benefits that may have been available to you before you received a refund. If you were first hired to perform service that could be credited to the Defined Benefit Program before January 1, 2013, you'll still be under the CalSTRS 2% at 60 benefit structure.

In some community property settlements, your service credit, contributions and interest are divided to create a separate account for your former spouse or registered domestic partner. If your former spouse or partner doesn't take a refund of the separate account, you won't be eligible to purchase the service credit. If your former spouse or partner takes a refund of his or her account, you can choose to purchase all or a portion of the service credit awarded to your former spouse or partner. If you don't purchase this service credit, it won't be included in your retirement benefit calculation. However, for CalSTRS 2% at 60 members, this service credit will count in determining your eligibility to receive the career factor and the longevity bonus.

Cost to Redeposit

The cost to redeposit depends on how much service credit you wish to purchase and, because interest must be paid, the length of time between your refund and your request to redeposit the funds.

Most members end up making a redeposit close to retirement, so the time gap between the refund and redeposit is often large. This gap can make a redeposit costly. It costs less to purchase a redeposit earlier in your career. You can purchase a portion, rather than all, of the service credit represented by any refund you received. If you choose to redeposit a portion of your contributions, we will provide you with service credit that is proportional to the total amount you refunded.

For example, a teacher who withdrew \$10,000 (representing three years of service credit) on May 1, 1994, and wanted to purchase those years of service credit on May 1, 2015, would be required to redeposit \$33,782.

- See "Purchasing Service Credit," page 59, and the *Purchase Additional Service Credit* booklet at CalSTRS.com/publications.

Former Local Service Members

If you have Local Service credit listed on your *Retirement Progress Report* (certain members who worked for the Los Angeles Unified School District or the San Francisco Unified School District), it will not be fully funded. Unless you submit additional contributions, your retirement benefit will include only up to \$2.40 per year of Local Service credit toward your retirement benefit. To fully fund this service, contact CalSTRS.

Changing Employment to a Different Public Retirement System

If you are a CalSTRS member and change to public education employment covered under certain other public retirement systems in California, such as the California Public Employees' Retirement System, you can continue your existing CalSTRS coverage or change to that other system. For example, you may move from a job as a classroom teacher to a position as a budget analyst in the district office, a position usually under CalPERS. Likewise, a school district budget analyst may decide to take a teaching position, a position usually under CalSTRS.

If You Change to a Position Under Another Public Retirement System

If you are a Defined Benefit member and become employed by the same or a different school district, community college district, county office of education or have limited state of California employment to perform service that requires membership in CalPERS, you may elect to continue coverage under CalSTRS. If you do, service in your new position will be treated as creditable service under the CalSTRS Defined Benefit Program.

Social Security

CalSTRS members do not participate in Social Security, but CalPERS members do. Contact the Social Security Administration at 800-772-1213 to determine how an employment change would affect any Social Security benefit due to you.

The election:

- Must be made within 60 days of the date of hire into your new position.
- Must be done on the appropriate CalSTRS form provided by your employer and received by CalSTRS within 30 days of the signature date.
- Is effective as of the date of hire into your new position.
- Is irrevocable and applies to all service for that position.

If You Are a CalPERS Member

Certain members of CalPERS who subsequently are employed in a position that requires CalSTRS membership can elect to continue coverage under CalPERS for all subsequent CalSTRS creditable service. This applies to CalPERS members employed by one or more of the following:

- A school district.
- The Board of Governors of the California Community Colleges.
- The California Department of Education as of January 1, 2002.
- A local or state agency not listed above (applies only to vested CalPERS members).
- A CalPERS and CalSTRS participating charter school.

The election:

- Must be made within 60 days of the date of hire into the new position.
- Must be done on the appropriate form and received by CalSTRS within 30 days of the signature date.
- Is effective as of the date of hire into the new position.
- Is irrevocable and applies to all service for that position.

Dual Membership

Members of CalPERS who are employed full time and accept part-time, temporary employment to perform creditable service covered by the CalSTRS Defined Benefit Program can permissively elect membership in CalSTRS and have their part-time service reported to CalSTRS.

See the *Join CalSTRS? Join CalPERS?* booklet at CalSTRS.com/publications, and ask your employer for the CalPERS benefit information brochure.