

# Request for Separation-From-Service Requirement Exemption—Information and Instructions

Read the instructions carefully before completing the form.

If all sections are not completed or if the minimum requirements are not met, the retired member will be subject to the separation-from-service requirement.

Use this form to request an exemption from the separation-from-service requirement, also known as the zero-dollar earnings limit, for a CalSTRS retired member who has reached normal retirement age (age 60 for CalSTRS 2% at 60 members; age 62 for CalSTRS 2% at 62 members) and is hired to fill a critically needed position during the first 180 calendar days following the member's most recent retirement date.

## MINIMUM REQUIREMENTS

- CalSTRS must receive the exemption form prior to the retired member performing any activities for this requested exempted position.
- The retired member must be of normal retirement age when the compensation is earned.
- The retired member did not receive any financial inducement to retire from any public employer, including, but not limited to, receiving additional service credit through the CalSTRS Retirement Incentive Program.
- The appointment is necessary to fill a critically needed position before 180 calendar days have passed from the retired member's most recent retirement date.
- The retired member's termination of employment is not the basis for the critically needed position.
- The position has been approved by the employer's governing body in a public meeting.
- The governing body adopted a resolution showing the approval of the position and the intent to seek an exemption.
- The resolution was adopted prior to the retired member performing duties.

## EXEMPTION START AND END DATE

The exemption start date is the first day of employment in the position, no earlier than the date CalSTRS receives this form. The exemption end date is no later than 180 calendar days after the member's most recent retirement date.

A separation-from-service requirement exemption is not an exemption from the fiscal year postretirement earnings limit. Visit [CalSTRS.com](http://CalSTRS.com) for more information about working after retirement restrictions and limits.

## COMPLETING THIS FORM

This form should be completed by the appointing authority unless otherwise stated. Print clearly in dark ink or type all information requested. Initial all corrections and sign on the last page.

## SECTION 1 – MEMBER INFORMATION

Enter the member's full name and Client ID or Social Security number. Include the member's mailing address, work telephone number and email address so we may contact them if we have any questions.

## SECTION 2 – POSITION INFORMATION

Enter the title and salary for the position. Enter the exemption period start and end date for the position.

## SECTION 3 – EMPLOYER INFORMATION

Enter the information related to the school district, county office of education or community college district employing the member. Include the mailing address, work telephone number and email address so we may contact you if we have any questions. Enter the appropriate five-digit county and district codes. Example: Kern County, Edison, would be 15-012. Contact your CalSTRS liaison if you are unsure of your code.

## SECTION 4 – DOCUMENTATION

Include the resolution adopted by the governing body with this form. The resolution must include:

- The nature of the employment (a general description of the position).
- A finding that the appointment is necessary to fill a critically needed position and must be filled before the members 180 calendar day separation-from-service period has passed since the member's most recent retirement date.
- A finding that the retired member did not receive additional service credit pursuant to California Education Code section 22714 or 22715, or any financial inducement to retire from any public employer.
- A finding that the retired member's termination of the employment is not the basis for the critically needed position.

## SECTION 5 – CERTIFICATION

Fully read each statement and enter your initials as the appointing authority next to each statement to certify you met the minimum requirements for the exemption.

## SECTION 6 – REQUIRED SIGNATURES

Have the retired member sign and date the Member's Signature line. Sign and date as the appointing authority on the form. The Appointing Authority's Signature must be signed and dated by the superintendent, the county superintendent of schools or the chief executive officer of a community college.

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# Request for Separation-From-Service Requirement Exemption

SR 1897 rev. 03/22



California State Teachers' Retirement System  
 P.O. Box 15275, MS 60  
 Sacramento, CA 95851-0275  
 800-228-5453  
 CalSTRS.com

<b>For CalSTRS Use Only</b> CalSTRS Representative	<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
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<b>Section 1: Member Information</b> – This section is to be completed by the retired member or the appointing authority.			
NAME (LAST, FIRST, INITIAL)		CLIENT ID OR SOCIAL SECURITY NUMBER	
MAILING ADDRESS			
CITY		STATE	ZIP CODE
EMAIL ADDRESS			WORK TELEPHONE (    )

<b>Section 2: Position Information</b> – This section is to be completed by the appointing authority.		
<b>Position Title:</b>  <hr/> <b>Position Salary (Annual):</b>	<b>Exemption Start Date</b> No earlier than the date CalSTRS receives this form (MM/DD/YYYY):  /   /	<b>Exemption End Date</b> No later than 180 calendar days after the member's most recent retirement date (MM/DD/YYYY):  /   /

<b>Section 3: Employer Information</b> – This section is to be completed by the appointing authority.			
<input type="checkbox"/> <input type="checkbox"/> - <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
COUNTY AND DISTRICT CODE (FIVE DIGITS)		EMPLOYING AGENCY'S NAME	
EMPLOYER ADDRESS	CITY	STATE	ZIP CODE
EMPLOYER CONTACT NAME		EMPLOYER TELEPHONE (    )	ext.
EMPLOYER EMAIL ADDRESS		COUNTY WHERE EMPLOYER IS LOCATED	

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# Exemption Request

## for Separation-From-Service Requirement continued



### Section 4: Documentation – This section is to be completed by the appointing authority.

**Check each to certify compliance.** The resolution adopted by the governing body must include:

- The nature of the employment (a general description of the position).
- A finding that the appointment is necessary to fill a critically needed position and must be filled before the retired member's 180 calendar day separation-from-service period has passed since the member's most recent retirement date.
- A finding that the retired member did not receive additional service credit pursuant to California Education Code section 22714 or 22715, or any financial inducement to retire from any public employer.
- A finding that the retired member's termination of employment is not the basis for the critically needed position.

### Section 5: Certification – This section is to be completed by the appointing authority.

**I have read and fully understand the instructions for the exemption certification for separation-from-service requirement of a retired member as outlined in Education Code section 24214.5. I fully certify that (please initial each):**

- \_\_\_\_\_ The position has been approved by the employer's governing body in a public meeting. The governing body adopted a resolution prior to the performance of activities by the retired member. The resolution includes all of the above stated requirements.
- \_\_\_\_\_ The approval of the appointment was not placed on a consent calendar.
- \_\_\_\_\_ The retired member is of normal retirement age when the compensation is earned.
- \_\_\_\_\_ The retired member did not receive any financial inducement to retire from any public employer, including, but not limited to, receiving additional service credit through the CalSTRS Retirement Incentive Program.

### Section 6: Required Signatures – This section is to be completed by the member and the appointing authority.

**I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct. I understand that perjury is punishable by imprisonment for up to four years (Penal Code section 126).**

**I understand it is a crime to fail to disclose a material fact or to make any knowingly false material statements for the purpose of altering a benefit administered by CalSTRS and it may result in penalties, including restitution, up to one year in jail and a fine of up to \$5,000 (Education Code section 22010).**

**I understand if CalSTRS does not approve this exemption that I, the member, shall be subject to the earnings limit outlined in Education Code section 24214.5.**



MEMBER'S SIGNATURE

SIGNATURE DATE (MM/DD/YYYY)



APPOINTING AUTHORITY'S SIGNATURE

SIGNATURE DATE (MM/DD/YYYY)

(To be signed by the superintendent, the county superintendent of schools or the chief executive officer of a community college.)