



TEXAS EDUCATION AGENCY

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Robert Scott
Commissioner

May 12, 2008

TO THE ADMINISTRATOR ADDRESSED:

Subject: Government Code, Subchapter G, §824.602: Provisions Related to the Employment of Retired Educators

In an effort to assist districts in their recruiting and staffing efforts, updated information is available regarding the rehiring of retired teachers in the State of Texas. The updated information is reflected in the enclosed attachments.

In summary, §824.602 of the Government Code allows retired educators to return to full employment with Teacher Retirement System (TRS) covered employers without experiencing restrictions to, or loss of, benefits as long as certain conditions are met. However, there are different conditions that must be met depending on whether the individual retired before or after January 1, 2001. These conditions are summarized in Attachment I, *Conditions of Employment of Retired Individuals*.

A key component concerning individuals who retired after January 1, 2001 relates to areas of acute teacher shortage. One of the provisions of §824.602 of the Government Code requires the board of trustees of a school district to determine (by rule) acute areas of teacher shortage in the district. The local board of trustees' determination must be based on guidelines adopted by the commissioner of education. These guidelines are contained in Attachment II, *Guidelines for Determining Areas of Acute Teacher Shortage*.

If you have questions regarding retirement issues, please check the Teacher Retirement System (TRS) website at www.trs.state.tx.us or contact TRS by phone at 1-800-223-8778. If you have questions concerning the guidelines related to acute teacher shortage, please contact Joseph W. Mezher at (512) 463-7285.

Sincerely,

Robert Scott
Commissioner of Education

Enclosures:

Attachment I: Conditions of Employment of Retired Individuals
Attachment II: Guidelines of Determining Areas of Acute Teacher Shortage