



TEXAS TECH™

Operating Policy and Procedure

OP 32.30: Voluntary Retirement of Faculty Members with Option for Part-Time Teaching

DATE: December 20, 2022

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to establish a voluntary retirement program for tenured faculty members with an option for subsequent part-time teaching.

REVIEW: This OP will be reviewed every two years after publication by the Vice Provost for Faculty Success and the Associate Vice President for Human Resources with substantive revisions presented to the Chief of Staff for the President and the Provost and Senior Vice President (PSVP).

POLICY/PROCEDURE

1. All full-time tenured faculty who have reached age 65 and have 10 years of service creditable for retirement with either the Teacher Retirement System of Texas (TRS) or the Optional Retirement Program (ORP) are eligible to participate in this program. Full-time tenured faculty members who are eligible for full retirement benefits by length of service before reaching the age of 55 also are eligible to participate in this program.
2. Persons choosing to participate in this program will relinquish tenure and retire with an agreement for continued part-time teaching, which is based on the following policies negotiated by the faculty member at the department/college level, then forwarded to the PSVP for final approval.
 - a. The faculty member may be employed to teach a monthly workload, which is less than one-half of the workload established for full-time faculty, for one or both of the long semesters in each academic year. At age 65, or sooner if the participant chooses to receive Social Security payments, the teaching assignment will be reduced to one long semester per calendar year unless it is otherwise mutually agreed.

Depending upon the number of faculty in this retired and returned status and the needs of the university, the PSVP may set limitations upon the number of years returning faculty may expect to teach. These limitations shall be established in the original agreement, as reflected in the attachment of this policy.

Employment to teach only one accelerated or mini-course per semester will be considered as less than one-half of the monthly full-time workload, provided the number of semester credit hours for the course is less than one-half of the number of semester credit hours that are considered a full-time workload for the semester for that level.

- b. The faculty members contributing to ORP may be employed to teach in excess of half time, up to full time, provided the work occurs in a fiscal year after the retiree's effective date of retirement, or no earlier than October 1 if the effective date of retirement is August 31, and the work occurring in a period designated in advance by the retiree is no more than six months from September through August. Working any portion of a month counts as working a full month.
- c. Faculty members contributing to TRS should contact TRS prior to any agreement for employment after retirement.
- d. Compensation for these teaching assignments will be determined as follows:
 - (1) During the academic (i.e., fiscal) years when the participant is less than 65 years of age, the compensation paid ordinarily will be less than one-half, but not less than one-third, of the salary paid in the fiscal year before entering into the program, or less than one-half, but not less than one-third, of the best three-year average nine-month salary earned, whichever is greater, and provided other remuneration is not mutually agreed for lesser amounts of teaching or is required to permit the participant to receive Social Security payments before age 65.
 - (2) During the academic years when the participant is over 65 years of age, compensation may be continued at less than half time as described in section 2.d.(1). Effective calendar year 2000, the Social Security earnings limit was eliminated for individuals over age 65 who continue to work.
 - (3) Participants are eligible to receive mandatory pay increases but ordinarily will not participate in merit programs.
 - (4) If legislation is passed that changes the age at which full Social Security benefits commence to be paid, this policy will be changed to permit participants to receive compensation as provided above, up to the age at which full Social Security benefits begin to be paid.
 - (5) If the retiree elects and is approved to work full time for six months each fiscal year, compensation may not exceed the base compensation in effect at the time of retirement plus applicable increases.
- e. Teaching assignments normally will be at a time mutually agreed upon with the department chairperson or area coordinator and within an area of the participant's primary area of specialization. If such an assignment is not available for any reason, then the participant may select a teaching assignment within an area of competency or, by mutual agreement with the chairperson, dean, and the Vice Provost for Faculty Success arrange to engage in other university activities that may be deemed the equivalent of the teaching assignment.
- f. On the date of retirement, faculty members who enter this program relinquish rights to vote on departmental policy matters and on approval of candidates for tenure within their academic area; however, they will retain rights for participation in discussions relating to the establishment of tenure criteria and procedures and, if allowed under current departmental procedures and practice, may participate in discussions regarding eligibility of individual faculty for tenure.

- g. While teaching part time in this program, a participant will be treated as a regular part-time member of the faculty with regard to assignment of office space, use of telephone and mail service, parking privileges, use of secretarial help, and other services provided in the applicable department. A participant also is entitled to all employee benefits that the university provides to retired employees. Assignment of office space will be made by the department chair.
 - h. Participants may be asked to serve on appropriate department, college, and university committees that could benefit from the expertise of the retired/part-time faculty when such service does not conflict with other regulations of the university and the state.
 - i. This program became effective June 1, 1984.
3. Persons choosing to participate in this program must notify the Office of the PSVP at least 90 days prior to the effective date of retirement and reach agreement on the following:
- a. Date on which tenure will be relinquished and the effective date of retirement, both in accordance with TRS rules;
 - b. Amount of teaching to be done and for what duration of time; and
 - c. Compensation to be paid by the university.

The Office of the PSVP will provide this information to Human Resources for each person entering the program.

4. It is the responsibility of the retiring faculty member to assure that the agreement entered into with the university to teach after retirement has no unexpected or adverse effect on the retirement benefits provided by the state or the optional retirement system.

[Attachment: Example of Memo to the Provost and Senior Vice President](#)

This information is based upon TRS plan terms in effect 08/31/2021 TRS plan terms are subject to change due to modifications to the law enacted by the Texas Legislature, to the rules adopted by the TRS Board of Trustees, and to changes in federal law related to qualified retirement plans.

If questions of interpretation arise, TRS laws and rules must remain the final authority.

References:

[Teacher Retirement System of Texas, Employment After Retirement \(EAR\) Handbook–September 2022](#)